



**CONSTITUTIONAL COURT  
OF THE REPUBLIC OF INDONESIA**

**SUMMARY OF DECISION  
FOR CASE NUMBER 154/PUU-XXIII/2025**

**Concerning**

**Minimum Educational Requirements for Candidates for President and Vice President, Candidates for DPD (Regional Representatives Council) Members, Candidates for DPR (House of Representatives), Provincial DPRD and Regency/Municipal DPRD (Regional Legislative Council) Members, as well as Candidates for Governors and Vice Governors, Candidates for Regents and Vice Regents, and Candidates for Mayors and Vice Mayors**

- Petitioner** : **Hanter Oriko Siregar**
- Type of Case** : Judicial review of Law Number 7 of 2017 concerning General Elections (Law 7/2017) *juncto* Law Number 10 of 2016 concerning the Second Amendment to Law Number 1 of 2015 concerning the Stipulation of Government Regulation in Lieu of Law Number 1 of 2014 concerning Elections for Governors, Regents, and Mayors into Law (Law 10/2016) against the 1945 Constitution of the Republic of Indonesia (1945 Constitution)
- Subject Matter** : Judicial review of Article 169 letter r, Article 182 letter e, and Article 240 paragraph (1) letter e of Law 7/2017 *juncto* Article 7 paragraph (2) letter c of Law 10/2016 against Article 1 paragraph (2), Article 22E paragraph (1), Article 28G paragraph (1), and Article 28I paragraph (4) of the 1945 Constitution
- Verdict** : To dismiss the Petitioner's petition entirely
- Date of Decision** : Monday, September 29, 2025
- Overview of Decision** :

Whereas the Petitioner is an individual Indonesian citizen who, according to the Petitioner, has the right to vote and is registered in the DPT at Polling Station (TPS) 004 Sempakata, Medan Selayang District, Medan City in the previous general election.

Whereas regarding the Court's authority, since the Petitioner's Petition is a petition for review of the constitutionality of the statutory norms, *in casu* Article 169 letter r, Article 182 letter e, and Article 240 paragraph (1) letter e of Law 7/2017 *juncto* Article 7 paragraph (2) letter c of Law 10/2016 against Article 1 paragraph (2), Article 22E paragraph (1), Article 28G paragraph (1), and Article 28I paragraph (4) of the 1945 Constitution, the Court has the authority to hear the petition *a quo*.

Whereas regarding the Petitioner's legal standing, the Petitioner has clearly explained his qualifications as an individual Indonesian citizen who believes he has, or at least has potentially, suffered constitutional loss due to the enactment of the articles or statutory norms being petitioned for review [*vide* Evidence P-3]. The alleged constitutional loss is specific and actual, or at least potential, due to the enactment of the norms of Article 169 letter r, Article 182 letter e, and Article 240 paragraph (1) letter e of Law 7/2017 *juncto* Article 7 paragraph (2) letter c of Law 10/2016. In this regard, the alleged actual or potential constitutional loss as described by Petitioner has a causal relationship (*causal verband*) with the enactment of the statutory norms being petitioned for review. Therefore, if the petition *a quo* is granted, the alleged constitutional loss as described by the Petitioner will not or will no longer occur. Thus, regardless of whether the unconstitutionality of the norms being petitioned for review is proven or not, the Court is of the opinion that the Petitioner has the legal standing to act as a Petitioner in the petition *a quo*.

Whereas, in essence, the Petitioner argues that Article 169 letter r, Article 182 letter e, and Article 240 paragraph (1) letter e of Law 7/2017 *juncto* Article 7 paragraph (2) letter c of Law 10/2016 are contrary to Article 1 paragraph (2), Article 22E paragraph (1), Article 28G paragraph (1), and Article 28I paragraph (4) of the 1945 Constitution. Regarding the Petitioner's argument *a quo*, the Court considers the following.

Whereas before further considering the Petitioner's argument *a quo*, the Court will first consider the Petitioner's petition in relation to the provisions of Article 60 of the Constitutional Court Law as well as Article 72 of Constitutional Court Regulation Number 7 of 2025 concerning Rules of Procedure for Judicial Review Cases (CCR 7/2025), regarding whether the norms *a quo* may be reviewed again. Although a petition for review of Article 169 letter r of Law 7/2017 has been submitted and decided by the Court, however, since it uses different basis for review and has different reasons for review, the Petitioner's petition *a quo* regarding Article 169 letter r of Law 7/2017, regardless of whether it can be substantially proven or not, formally may be resubmitted without being hindered by the provisions of Article 60 of the Constitutional Court Law and Article 72 of CCR 7/2025.

Whereas regarding the norm of Article 169 letter r of Law 7/2017 as argued by the Petitioner, in the Court's opinion, the essence of what is petitioned in the case *a quo* is actually the same, namely challenging the minimum educational requirements for candidates for president and vice president, where the Petitioner petitions the Court to amend the minimum educational requirements for candidates for president and vice president, which were originally graduating from high school or equivalent to become graduating with a bachelor's degree (S-1) or equivalent. In this regard, since the norm challenged by the Petitioner is an open legal policy, the Court does not yet have a fundamental reason to shift from its stance. Therefore, pursuant to this legal fact, the legal considerations in Constitutional Court Decision Number 87/PUU-XXIII/2025 apply in a *mutatis mutandis* manner as legal considerations in responding to the petition argument *a quo*. Thus, regarding the minimum educational requirements of graduating from high school or equivalent for candidates for president and vice president, the same norms still apply.

Whereas regarding the provisions of Article 182 letter e and Article 240 paragraph (1) letter e of Law 7/2017 *juncto* Article 7 paragraph (2) letter c of Law 10/2016, although they regulate different legal subjects, namely candidates for DPD members, candidates for DPR, provincial DPRD, and regency/municipal DPRD members, as well as candidates for governors and vice governors, candidates for regents and vice regents, as well as candidates for mayors and vice mayors, however, the three norms of the articles in question are all provisions of the norms that regulate the requirements for candidacy in the implementation of general elections. Because this matter is the same as that considered by the Court's with respect to Article 169 letter r of Law 7/2017, the requirements for candidates for DPD members, candidates for DPR, provincial DPRD, and regency/municipal DPRD members, as well as candidates for governors and vice governors, candidates for regents and vice regents, as well as candidates for mayors and vice mayors as regulated in Law 7/2017 *juncto* Law 10/2016 are also constitutional to the extent that the 1945 Constitution delegates them.

Whereas the requirements for candidates for DPD members, candidates for DPR, provincial DPRD, and regency/municipal DPRD members, as well as candidates for governors and vice governors, candidates for regents and vice regents, as well as candidates for mayors and vice mayors mentioned above are also lawmakers' open legal policy, similar to the Court's considerations regarding Article 169 letter r of Law 7/2017.

Whereas, if it is necessary to amend the educational requirements as argued by the Petitioner, lawmakers may review the minimum educational requirements for candidates for DPD members, candidates for DPR, provincial DPRD, and regency/municipal DPRD members, as well as candidates for governors and vice governors, candidates for regents and vice regents, as well as candidates for mayors and vice mayors by determining educational requirements that are considered ideal for the best interests of the nation and the state. In this regard, in the 2025-2029 Priority National Legislation Program (Prolegnas), the Bill on Elections and the Bill on Regional Elections have been included as bills prioritized for an amendment [*vide* the 2025 Priority Prolegnas serial numbers 25 and 26]. Therefore, as a citizen, the Petitioner has the right to provide input verbally and/or in writing at every stage of the formation of the laws (public participation), including input regarding the requirements that are the subject of the petition *a quo*.

Whereas pursuant to all the descriptions of the legal considerations above, it has been proven that the norms of Article 169 letter r, Article 182 letter e, and Article 240 paragraph (1) letter e of Law 7/2017 *juncto* Article 7 paragraph (2) letter c of Law 10/2016 are not contrary to the principles of honest and just general elections, recognition, assurance, protection, fair legal certainty, as well as the advancement, enforcement and fulfillment of human rights in a rule of law state as guaranteed in the 1945 Constitution, not as argued by the Petitioner. Thus, the Petitioner's argument is entirely legally unjustifiable.

The Court subsequently passes down a decision in which the verdict is to dismiss the Petitioner's petition entirely.'

### **Concurring Opinion**

Against the Court's decision *a quo*, there is one concurring opinion from one Constitutional Justice, namely Constitutional Justice Suhartoyo, who states as follows:

Whereas pursuant to the excerpts from the legal considerations of dissenting opinion in case 29/PUU-XXI/2023 as mentioned above, regarding the Petitioner in the petition *a quo*, I am also of the opinion that the Petitioner, who petitions that the norm of Article 169 letter q of Law 7/2017 be interpreted as the description fully stated in the *petitum* of his petition, has no direct interests, and therefore it is also irrelevant to grant him legal standing to act as a petitioner in the petition *a quo*. Thus, the legal considerations of dissenting opinion in case Number 29/PUU-XXI/2023 shall apply in a *mutatis mutandis* manner as an inseparable part of legal considerations in my dissenting opinion in the petition *a quo*.

Whereas pursuant to the description of the legal considerations above, regarding the petition *a quo*, I am of the opinion that the Constitutional Court should also not grant legal standing to the Petitioner, and accordingly it is not relevant to consider the subject matter of the petition, so that the verdict in the decision *a quo* should be "to declare that the Petitioner's petition is inadmissible."

Whereas pursuant to the excerpts from the legal considerations of dissenting opinions in Case Number 29/PUU-XXI/2023 and Case Number 51/PUU-XXI/2023 as mentioned above, regarding the Petitioner in the petition *a quo*, I am also of the opinion that the Petitioner, who petitions that the norm of Article 169 letter q of Law 7/2017 be interpreted as the description fully stated in the *petitum* of his petition, has no direct interests, and therefore it is also irrelevant to grant him legal standing to act as a petitioner in the petition *a quo*. Thus, the legal considerations of dissenting opinions in Case Number 29/PUU-XXI/2023 and Case Number 51/PUU-XXI/2023 shall apply *mutatis mutandis* as an inseparable part of legal considerations in my dissenting opinion in the petition *a quo*.

Whereas pursuant to the description of the legal opinions above, I am of the opinion that the Constitutional Court, in the case *a quo*, should not grant legal standing to the Petitioner in the case *a quo*, and accordingly, it is not relevant to consider the subject matter of the petition. Thus, the verdict of the decision *a quo* should be “To declare that the Petitioner’s petition is inadmissible.”