



Legal Certainty in Women's Electoral Quotas: Analysis of Constitutional Court Decision No. 128/PUU-XXIV/2026

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Abstract: The provision requiring a minimum quota of 30% women's representation under Article 245 of Law Number 7 of 2017 constitutes an affirmative action policy aimed at realizing equality in political representation. However, the absence of sanctions for non-compliance renders the provision a *lex imperfecta*, thereby failing to satisfy the principle of legal certainty and tending to produce merely administrative compliance. This study aims to analyse the fulfilment of the principle of legal certainty concerning the women's representation quota following the Constitutional Court Decision Number 128/PUU-XXIV/2026. This research employs a legal research methodology using statutory, conceptual, and case approaches. The findings demonstrate that Constitutional Court Decision Number 128/PUU-XXIV/2026 transforms the legal character of Article 245 from a *lex imperfecta* into a mandatory norm by imposing the sanction of disqualification upon political parties that fail to comply with the women's quota requirement. This reconstruction strengthens legal certainty, enhances the effectiveness of affirmative action policies, promotes the reform of political party cadre recruitment, and supports the realization of gender equality and women's political representation within Indonesia's constitutional democracy.

1. Introduction

The fulfilment of women's political rights constitutes one of the indicators of the quality of constitutional democracy (Ramdhani, 2021). One essential requirement is the availability of equal opportunities for every citizen to participate in the political process without discrimination. Women's representation in legislative institutions must be realized and ensured as an instrument for achieving equality by addressing the longstanding disparities that have restricted women's access to political decision-making processes (Amaliyah Achmad, 2018). This principle is consistent with Article 27(1), Article 28D(1), Article 28H(2), and Article 28I(2) of the 1945 Constitution of the Republic of Indonesia (UUD NRI Tahun 1945), which guarantee equality before the law, the right to fair legal certainty, and the protection of affirmative measures to achieve equality and justice.

As an implementation of this constitutional mandate, the legislature adopted an affirmative action policy through the provision requiring a minimum quota of 30% women's representation in the nomination of legislative candidates (Wiwin & Fhad Syahril, 2024). This policy was initially introduced in response to the persistently low representation of women in representative institutions, which had long been dominated by men (Tias et al., 2023). Subsequently, this provision was retained in Article 245 of Law Number 7 of 2017 on General Elections, which stipulates that the lists of prospective candidates for the House of Representatives (DPR), Provincial Regional People's Representative Councils (DPRD Provinsi), and Regency/Municipal Regional People's Representative Councils (DPRD Kabupaten/Kota) must include at least 30% women's representation. This regulatory framework reflects the State's commitment to establishing a more inclusive electoral system and expanding women's political access within the legislative candidate recruitment process (Hikmah, 2026).

Nevertheless, the effectiveness of this regulatory framework remains problematic. Although the obligation to include the women's quota is stipulated under Article 245 of Law Number 7 of 2017, it is not accompanied by provisions that expressly prescribe legal consequences for non-compliance with that obligation (Ilham, 2026). The absence of a normative framework governing sanctions raises questions regarding the binding force of the quota provision itself. Under the theory of the rule of law (*rechtsstaat*), a legal norm must be accompanied by an enforcement mechanism in order to provide legal certainty for every legal subject (Muhlashin, 2021). In the absence of clear legal consequences, a legal obligation risks losing its effectiveness and becoming a merely declaratory norm possessing only symbolic value.

This condition is reflected in the practice of electoral administration to date. A considerable number of political parties continue to regard the 30% women's quota merely as an administrative requirement for satisfying candidate nomination provisions (Ilham, 2026). Women are frequently recruited at the final stage of the candidate list preparation process solely to meet the minimum percentage required by law. Furthermore, many female legislative candidates are placed in electoral list positions that offer little realistic prospect of securing a seat, are denied adequate political resources, and are not meaningfully included in the party's cadre development process. Such practices demonstrate that women's representation has been fulfilled more in a formal than in a substantive sense. Consequently, a quota intended to serve as an instrument of political transformation risks being reduced to a mere administrative formality without producing any meaningful increase in women's political representation.

This phenomenon reveals a disparity between the objective of the legal norm and its implementation in practice. On the one hand, the State has recognised the importance of affirmative action as an instrument for achieving gender equality in politics. On the other hand, the normative deficiencies of the provision impede the realisation of that objective. The central issue, therefore, is the extent to which the legal norm governing the women's quota is capable of providing legal certainty,

promoting compliance among electoral participants, and ensuring the attainment of the objectives underlying the affirmative action policy itself.

The issuance of Constitutional Court Decision Number 128/PUU-XXIV/2026 constitutes a significant development in Indonesia's electoral law and affirms that the fulfilment of women's representation cannot be understood merely as an administrative formality. The Constitutional Court positioned affirmative action as an integral component of the protection of citizens' constitutional rights, which must be realised through legislation that provides legal certainty. In other words, constitutional democracy requires more than the mere inclusion of a quota in legislation; it must also ensure that such a norm possesses binding force and an effective enforcement mechanism so that the objective of enhancing women's political participation can be genuinely achieved.

From the perspective of the theory of legal certainty, a legal norm satisfies the principle of legal certainty when it is formulated clearly, is not susceptible to multiple interpretations, and is accompanied by predictable legal consequences in the event of non-compliance (Putri & Arifin, 2019). Legal certainty concerns the capacity of a legal norm to provide behavioural guidance for legal subjects and to ensure consistency in its application. Accordingly, the absence of provisions governing sanctions for non-compliance with the 30% women's representation quota raises the question of whether Article 245 of Law Number 7 of 2017 satisfies the principle of legal certainty as one of the defining characteristics of a democratic state governed by the rule of law. The ambiguity surrounding the legal consequences also has the potential to create disparities in the implementation of this obligation by political parties and to diminish the effectiveness of oversight exercised by electoral management bodies.

Although numerous previous studies have examined affirmative action policies for women within Indonesia's electoral system, the majority have focused on the effectiveness of affirmative action (Hikmah, 2026; Rahmatunnisa, 2016; Tias et al., 2023), women's representation from a gender perspective (Hardiyanti, 2022), or the socio-cultural barriers to women's political participation (Hariyanti et al., 2018; Tridewiyanti, 2012). Studies that specifically examine Article 245 of Law Number 7 of 2017 from the perspective of the principle of legal certainty, particularly following Constitutional Court Decision Number 128/PUU-XXIV/2026, remain relatively limited. Accordingly, this study offers a novel contribution by analysing the relationship between the normative design of the women's representation quota, the presence or absence of legal sanctions, and the fulfilment of the principle of legal certainty within Indonesia's electoral system.

Based on the foregoing discussion, this study is founded upon the legal issue of whether Article 245 of Law Number 7 of 2017 on General Elections, which prescribes a minimum quota of 30% women's representation but does not provide for sanctions in the event of non-compliance, satisfies the principle of legal certainty in a democratic state governed by the rule of law. Addressing this legal issue is essential for assessing the quality of Indonesia's electoral law, ensuring the protection of

women's political rights, and strengthening the quality of a just constitutional democracy.

2. Method

This study employs a legal research methodology using three approaches: the statutory approach, the conceptual approach, and the case approach. The statutory approach is employed to analyse Article 245 of Law Number 7 of 2017 and other legislation relevant to this study. The conceptual approach is used to examine the theory of legal certainty as the analytical framework. Furthermore, the case approach is focused on the analysis of Constitutional Court Decision Number 128/PUU-XXIV/2026 in order to identify the *ratio decidendi* of the Constitutional Court. All legal materials are analysed using a prescriptive method.

3. Result and Discussion

3.1 Legal Certainty as a Fundamental Principle of the *Rechtsstaat*

Legal certainty constitutes one of the fundamental pillars that distinguishes a state governed by the rule of law (*rechtsstaat* or rule of law) from a state in which power is exercised arbitrarily (*machtsstaat*) (Fadli & Hadi, 2023). In a state governed by the rule of law, every act of public authorities as well as every action of citizens must be founded upon legal rules that are clear, predictable, and capable of consistent enforcement (Muabezi, 2017; Ramli et al., 2019). Accordingly, the law must serve not merely as a body of norms regulating social conduct but must also possess binding force and an enforcement mechanism capable of ensuring the realization of the objectives underlying those legal norms. Legal certainty, therefore, concerns the quality of legal drafting, the consistency of legal application, and the existence of clear legal consequences in the event of non-compliance with the relevant legal norm (Hasaziduhu Moho, 2019). Article 1(3) of UUD NRI Tahun 1945 affirms that Indonesia is a state governed by the rule of law. The consequence of this constitutional provision is that the exercise of all state powers must be subject to the law and may not be based solely upon political will. This constitutional principle is further reinforced by Article 28D(1) of UUD NRI Tahun 1945, which guarantees every person's right to recognition, guarantees, protection, and fair legal certainty, as well as equal treatment before the law. This provision demonstrates that legal certainty constitutes a constitutional right of every citizen, which the State is obliged to fulfil through the enactment of legal norms that are clear, consistent, and effective (Putri & Arifin, 2019).

Theoretically, the concept of the state governed by the rule of law has evolved through two major traditions, namely the *rechtsstaat*, which developed within the Continental European legal system, and the rule of law, which emerged from the Anglo-Saxon legal tradition (Abustan, 2017; Hufron & Syofyan Hadi, 2016; Muabezi, 2017). Although these concepts originated from distinct historical developments, both regard legal certainty as an indispensable element in limiting the exercise of state power. Within the *rechtsstaat* tradition, the law is conceived as an instrument

for controlling the exercise of public power through the establishment of legal norms that are written, systematic, and binding (Muabezi, 2017). By contrast, the rule of law tradition emphasizes the supremacy of law as the foundation of government, requiring that every governmental act derive its legitimacy from the law (Berman, 2019). These two traditions converge on the common premise that the law must be capable of providing predictability for every legal subject. In the absence of certainty regarding the legal consequences of a particular act, the law loses its function as a guide for human conduct.

Gustav Radbruch regarded legal certainty as one of the three fundamental values of law, alongside justice and legal expediency. According to Radbruch, the law cannot achieve justice if its own validity and applicability cannot be assured (Kristhy et al., 2023). Legal certainty guarantees that legal norms are generally applicable, consistently enforced, and not subject to alteration on the basis of transient political interests (Al'anam, 2025). Through legal certainty, every individual is able to anticipate the legal consequences of his or her actions, thereby creating stability in legal relations. Accordingly, a legal norm that merely imposes an obligation without providing legal consequences for its breach does not satisfy the requirement of legal certainty as conceived by Radbruch (Emil Lask et al., 1950). Such a norm is incapable of providing behavioural guidance because there is no certainty regarding the legal consequences of non-compliance with the norm.

Article 245 of Law Number 7 of 2017 requires that the lists of prospective legislative candidates include a minimum of thirty per cent women's representation. However, this provision is not accompanied by any regulation prescribing sanctions if a political party fails to comply with this obligation. Consequently, the legal obligation established by the legislature loses its coercive force because no juridical consequence directly binds the relevant legal subjects. From the perspective of legal certainty, this condition indicates that Article 245 of Law Number 7 of 2017 initially possessed the character of a legal norm imposing an obligation but lacking any enforcement mechanism or sanctions for its violation. The existence of such a norm causes the law to fail in performing its regulatory function, as compliance depends upon the voluntary willingness of legal subjects rather than upon the binding force guaranteed by the legal system.

In addition to Radbruch, Jan Michiel Otto provides a more operational explanation of the meaning of legal certainty. According to Otto, legal certainty is determined by the capacity of the legal system to ensure that legal norms are consistently applied in practice (Suhartoyo, 2025). Otto argues that legal certainty comprises several essential elements, namely the existence of legal rules that are clear and readily accessible; the consistent application of the law by state institutions; compliance with the law by society; and the availability of dispute resolution mechanisms in the event of non-compliance (Bertea, 2008). Legal certainty is therefore a concept encompassing both normative and institutional dimensions. A legal norm can be said to provide legal certainty only when it is capable of influencing the conduct of legal subjects through the existence of concrete and predictable legal consequences (G. Z., 2020).

When Otto's theory is applied to the regulation of the 30 per cent women's representation quota, it becomes apparent that the deficiency of Article 245 of Law Number 7 of 2017 lies not in the clarity of the obligation it prescribes, but rather in the incompleteness of its enforcement mechanism. Textually, the provision governing the women's quota is formulated with sufficient clarity and does not give rise to multiple interpretations regarding the percentage that political parties are required to fulfil. However, the provision fails to provide legal certainty as to the legal consequences in the event that the obligation is not complied with. This normative gap results in Article 245 of Law Number 7 of 2017 failing to satisfy one of the essential elements of legal certainty as formulated by Otto, namely the guarantee that a legal norm will be implemented through a predictable enforcement mechanism (Suhartoyo, 2025). Consequently, political parties enjoy a broad degree of discretion to disregard the substance of the affirmative action policy without facing any meaningful legal consequences.

This perspective demonstrates that legal certainty cannot, in fact, be separated from the effectiveness of a legal norm. A legal norm is also measured by its capacity to shape the legal behaviour of the subjects it governs. A legal norm that lacks an enforcement mechanism will ultimately function merely as a regulatory instrument expressing the State's political commitment in a declaratory manner, while failing to produce behavioural change in practice. Such a condition has the potential to undermine the integrity of the electoral system by allowing electoral participants to comply with legal requirements only in a formal sense without fulfilling the objectives intended by the legislature.

Conceptually, affirmative action constitutes a special measure designed to accelerate the achievement of substantive equality for groups that have historically encountered barriers to obtaining equal opportunities (Akmaliyah et al., 2023). Accordingly, affirmative action policies serve as instruments for redressing longstanding inequalities. Article 4(1) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) recognises temporary special measures as legitimate instruments for accelerating the achievement of de facto equality between men and women.

Within the Indonesian legal system, legal certainty with respect to affirmative action is reflected in Article 28H(2) of UUD NRI Tahun 1945, which provides the constitutional basis for the adoption of special measures to achieve equality and justice. This provision demonstrates that affirmative action does not constitute a departure from the principle of equality before the law; rather, it serves as an instrument for realizing substantive equality. Accordingly, the regulation requiring a thirty per cent women's representation quota must be understood as an implementation of the State's obligation to eliminate the barriers that have historically restricted women's access to political office (Hardiyanti, 2022).

On that basis, legal certainty must be understood as an essential prerequisite for the success of affirmative action policies. Legal norms governing the women's representation quota must be formulated in mandatory terms, accompanied by explicit legal consequences, and supported by effective enforcement mechanisms to

promote compliance by political parties. In the absence of certainty regarding the legal consequences of non-compliance, affirmative action will remain merely a regulatory provision devoid of coercive force. Conversely, where such obligations are accompanied by clear sanctions and are enforced consistently, the law provides legal certainty and advances women's political equality. Accordingly, the relationship between legal certainty and affirmative action is mutually reinforcing: legal certainty provides the coercive force necessary for the effective implementation of affirmative action, while affirmative action gives substantive effect to the principle of legal certainty within a constitutional democratic state.

3.2 Constitutional Court Decision Number 128/PUU-XXIV/2026 as the Realisation of Legal Certainty through the Imposition of the Sanction of Disqualification

Constitutional Court Decision Number 128/PUU-XXIV/2026 constitutes a significant development in Indonesia's electoral law because it not only reviews the constitutionality of the provisions of Law Number 7 of 2017 but also restructures the design of the women's affirmative action policy by strengthening the principle of legal certainty (Wahyuni, 2026). The significance of this decision extends beyond the mere resolution of a constitutional dispute, as the Constitutional Court has positioned affirmative action as an integral component of the protection of citizens' constitutional rights that must be realised through legal norms that are binding and enforceable. Constitutional Court Decision Number 128/PUU-XXIV/2026 transforms the paradigm of legal norm-making from a declaratory approach to a mandatory approach oriented towards the effective protection of constitutional rights.

The *ratio decidendi* of Constitutional Court Decision Number 128/PUU-XXIV/2026 is founded upon the premise that affirmative action constitutes a constitutional mandate that cannot be reduced to a mere administrative requirement. The Constitutional Court affirmed that the regulation requiring a minimum quota of 30% women's representation, as stipulated in Article 245 of Law Number 7 of 2017, serves as an instrument for realizing equality as guaranteed under Article 28H(2), Article 28D(1), and Article 28I(2) of the 1945 Constitution of UUD NRI 1945 Tahun 1945. Accordingly, where such a legal norm is not accompanied by legal consequences for non-compliance, the State effectively fails to discharge its constitutional obligation to ensure the effective protection of women's political rights.

The Constitutional Court's reasoning demonstrates that legal certainty must be understood as certainty regarding legal consequences. A legal norm that imposes an obligation without being accompanied by legal consequences lacks sufficient coercive force to influence the behaviour of legal subjects. As a result, the objective underlying the enactment of the legal norm becomes difficult to achieve. From this perspective, the Constitutional Court adopted the approach that the protection of women's political rights must be guaranteed through an effective legal enforcement mechanism (Wahyuni, 2026).

Before the issuance of Constitutional Court Decision Number 128/PUU-XXIV/2026, Article 245 of Law Number 7 of 2017 could be characterised as a *lex*

imperfecta. In legal theory, a *lex imperfecta* refers to a legal norm that possesses formal validity but is deficient in terms of effectiveness because it does not provide an enforcement mechanism against the legal subjects to whom it applies (McGinn, 2015). The existence of such a norm causes the law to lose its regulatory function and to operate merely as a moral guideline or a political declaration.

The *lex imperfecta* character of Article 245 of Law Number 7 of 2017 is clearly reflected in its requirement that lists of prospective legislative candidates include a minimum of 30% women's representation, while failing to prescribe the legal consequences should political parties disregard this obligation. Consequently, political parties retained considerable discretion to treat this requirement as a mere administrative formality. In the 2024 General Election, various political parties continued to place women in less competitive positions on candidate lists, recruited female candidates only shortly before the candidate registration deadline, and treated women's candidacies merely as a means of satisfying the administrative requirements necessary for candidate lists to be accepted by the electoral management bodies. These practices demonstrate that the affirmative action policy has not yet succeeded in producing substantive political representation due to the weak coercive force of the legal norm.

From the perspective of Gustav Radbruch's theory of legal certainty, this condition is incompatible with the function of law as an instrument that provides predictability regarding the legal consequences of a particular act. Legal certainty requires the existence of legal consequences that can be reasonably anticipated by every legal subject (Serediuk & Dudar, 2024). Where a legal obligation is not accompanied by clear legal consequences, the norm loses its capacity to guide the conduct of society. Accordingly, before Constitutional Court Decision Number 128/PUU-XXIV/2026, Article 245 of Law Number 7 of 2017 did not fully satisfy the value of *Rechtssicherheit*, as it failed to provide legal certainty regarding the legal consequences for political parties that violated the women's representation quota requirement.

This view is consistent with Otto's theory of legal certainty, which maintains that legal certainty can only be achieved where legal rules are clear, consistently applied by state institutions, complied with by legal subjects, and supported by an effective enforcement mechanism (Suhartoyo, 2025). Accordingly, the Constitutional Court's introduction of the sanction of disqualification constitutes a refinement of the legal system to ensure compliance with the essential elements of legal certainty as articulated by Otto. In essence, the sanction of disqualification affirmed by the Constitutional Court transforms the legal character of Article 245 of Law Number 7 of 2017 from a declaratory norm into a mandatory norm. A mandatory norm is one that must be complied with and leaves no discretion for legal subjects to disregard the obligations imposed by legislation. Compliance with such a norm no longer depends upon the voluntary willingness of legal subjects but is secured through the threat of legal consequences. Following the issuance of Constitutional Court Decision Number 128/PUU-XXIV/2026, the obligation to comply with the women's representation quota has been transformed into a legally binding and enforceable obligation.

These changes have significant implications for the administration of the electoral system, particularly for the General Elections Commission (*Komisi Pemilihan Umum*—KPU) as the electoral management body. Constitutional Court Decision Number 128/PUU-XXIV/2026 must be implemented through amendments to General Elections Commission Regulation Number 10 of 2023 concerning the Nomination of Members of DPR, DPRD Provinsi, and DPRD Kabupaten/Kota, particularly the provisions governing the administrative examination of prospective candidate lists and the legal consequences where such lists fail to satisfy the women's representation requirement. The provisions on administrative examination contained in Articles 18 to 24 of General Elections Commission Regulation Number 10 of 2023, including those governing the preparation of prospective candidate lists and the verification of nomination requirements, must be harmonised with the operative part of Constitutional Court Decision Number 128/PUU-XXIV/2026 to provide that candidate lists failing to meet the minimum quota of 30% women's representation shall be declared disqualified or inadmissible. Such harmonisation is essential to eliminate any scope for interpretation that could undermine the effective implementation of the Constitutional Court's decision.

In addition to its implications for the electoral management body, Constitutional Court Decision Number 128/PUU-XXIV/2026 carries significant institutional consequences for political parties. Previously, many political parties tended to regard affirmative action as an administrative obligation that could be satisfied merely through formal compliance at the final stage of the nomination process (Damayanti et al., 2024). With the introduction of the sanction of disqualification, such an approach can no longer be maintained. Political parties are now required to reform their cadre development systems, recruitment processes, political education programmes, and legislative candidate selection mechanisms in order to ensure sustainable compliance with the women's representation quota. In other words, the sanction of disqualification functions as a constitutional incentive that encourages political parties to undertake institutional reform to fulfil their legal obligations.

When examined through the lens of the theory of equality in constitutional law, Ronald Dworkin argues that the principle of equality must be understood as the State's obligation to treat every citizen with equal concern and respect (Dworkin, 2000). Equality does not require that every individual be treated identically; rather, it requires that every individual be afforded an equal opportunity to enjoy his or her rights (Galston, 2001). Accordingly, affirmative action does not constitute a form of reverse discrimination but instead serves as a corrective instrument to address the inequalities that have historically impeded certain groups from obtaining equal access to political power (Irfandi et al., 2022).

This view is consistent with the theory of substantive equality developed by Sandra Fredman. According to Fredman, equality cannot be assessed solely based on equal treatment before the law but must also take into account the social conditions that cause certain groups to experience systemic disadvantages (Fredman, 2018). Accordingly, the State is justified in adopting affirmative action measures as a form

of redistributing political opportunities in order to eliminate entrenched inequalities. The thirty per cent women's representation quota constitutes a manifestation of substantive equality because it is intended to remove the barriers that have historically restricted women's political participation.

Furthermore, one of the principal objectives of affirmative action policies is to achieve substantive representation, as articulated by Hanna Fenichel Pitkin. In her seminal work *The Concept of Representation* (1967), Pitkin distinguishes four dimensions of representation: formal, descriptive, symbolic, and substantive representation (Fenichel Pitkin, 1967). According to Pitkin, the quality of democracy is determined not merely by who is present within representative institutions, but by the extent to which elected representatives genuinely act in the interests of the groups they represent (acting for). Accordingly, women's representation should not be understood merely as the fulfilment of a statistical percentage in candidate lists or parliamentary composition. Rather, women's representation must be capable of producing public policies that are responsive to the needs and concerns of women, children, persons with disabilities, Indigenous peoples, and other vulnerable groups (Sidik, 2022).

Constitutional Court Decision Number 128/PUU-XXIV/2026 effectively strengthens the relationship between descriptive representation and substantive representation. The Constitutional Court recognised that substantive representation cannot be realised where women are first denied fair access to the candidate nomination process. Accordingly, strengthening the coercive force of the legal norm through the imposition of the sanction of disqualification constitutes a highly significant judicial development for enhancing women's representation and, ultimately, for creating the conditions necessary to realise substantive representation as conceptualised by Pitkin.

Accordingly, Constitutional Court Decision Number 128/PUU-XXIV/2026 not only brings an end to the *lex imperfecta* character of the legal framework governing the women's representation quota but also reinforces the principle of legal certainty. Through the imposition of the sanction of disqualification, the Constitutional Court transforms what was previously a declaratory norm into a mandatory norm possessing coercive force, certainty as to legal consequences, and effectiveness in its implementation. This transformation strengthens the function of law as an instrument for the protection of women's rights, promotes institutional reform within political parties, requires the harmonisation of General Elections Commission Regulations with the operative part of the Constitutional Court's decision, and reaffirms that affirmative action constitutes a mechanism for achieving substantive equality and substantive representation within Indonesia's constitutional democracy.

4. Conclusion

Before Constitutional Court Decision Number 128/PUU-XXIV/2026, the provision requiring a minimum quota of 30% women's representation under Article 245 of Law

Number 7 of 2017 did not fully satisfy the principle of legal certainty because it possessed the character of a *lex imperfecta*. This condition resulted in the affirmative action policy operating merely as an administrative formality and failing to ensure substantive women's political representation. Through Constitutional Court Decision Number 128/PUU-XXIV/2026, the provision was reconstructed into a mandatory norm by imposing the sanction of disqualification upon political parties that fail to comply with the women's representation quota. This reconstruction strengthens legal certainty, enhances the effectiveness of the affirmative action policy, promotes the reform of political party cadre development, and reaffirms that equality and substantive representation constitute essential elements of a just constitutional democracy.

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