

The New Direction of Legislative Pension System in Constitutional Court Decision 191/PUU-XXIII/2025

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Abstract

This paper analyzes the legal reasoning, implications, and normative relevance of Constitutional Court Decision No. 191/PUU-XXIII/2025, which conditionally declares the pension provisions in Law No. 12 of 1980 unconstitutional. The ruling maintains the provisions temporarily, subject to amendment within a specified timeframe. Using a normative legal method with legislative and conceptual approaches, the study highlights that the Court's reasoning emphasizes equality, constitutional rights protection, and social justice for retired members of the House of Representatives. It also underscores the need to harmonize pension regulations with principles of social justice and fiscal rationality. The legal implications encourage reform of the pension system, adjustments in administration and procedures, and greater accountability and transparency in managing pension rights. Philosophically, the decision reinforces the principles of social justice and the rule of law, serving as a precedent for lawmakers in designing fair and proportionate public policies. Beyond substantive legal aspects, it stresses the importance of welfare and the protection of pension rights, ensuring that legal frameworks remain responsive to constitutional values and societal needs.

Keywords: *New direction, DPR pensions, Constitutional Court ruling.*

A. INTRODUCTION

When discussing the welfare state, the existence of a social security system is one of the key instruments in achieving social justice and protecting citizens. In this regard, the state acts not only as a guardian of the rule of law, but also as a key actor in ensuring the welfare of society through fair, rational and sustainable public policies (Tareq J. Pamungkas and Achmad Hariri, 2022). One crucial aspect of this welfare system is the regulation of pensions, both for the general

public and for public officials. In Indonesia, the pension system for state officials, particularly members of the People's Representative Council (DPR), is regulated under Law No. 12 of 1980 on the Financial/Administrative Rights of the Leadership and Members of High State Institutions (hereinafter referred to as Law No. 12 of 1980). Under these provisions, members of the DPR are granted a lifetime pension upon completing their term of office, even after serving just a single five-year term (Riski Amnur and Khalid Khalid, 2026)

This arrangement has sparked controversy within society, particularly when compared to the national social security system applicable to citizens in general. Under the national social security system, as stipulated in various regulations relating to employment and social security, an individual must meet certain length-of-service requirements and make contributions over a long period of time in order to receive pension benefits. This creates a normative disparity between state officials and the general public, which has the potential to conflict with the principles of social justice and equality before the law (Reza Rizky Farza et al., 2019). When viewed in relation to the principle of distributive justice, the pension system for members of the House of Representatives raises concerns. From the perspective of John Rawls' theory of justice, the distribution of benefits in society must adhere to the principle of fairness, whereby public policy must not grant disproportionate advantages to specific groups without a rational basis (Reva A. Maulidina et al., 2025). It is in this context that the provision of a lifetime pension to members of the House of Representatives who serve for only a relatively short period is viewed as a form of privilege that is difficult to justify both morally and constitutionally.

From the perspective of public finance management, the provision of non-contributory pensions to public officials is considered to have the potential to place a burden on the State Budget (APBN), as well as to reduce budget allocations for sectors that are more productive and have a direct impact on the public (Tri Handayani and Nurul Huda, 2023). The DPR pension system does not reflect social justice and has the potential to widen social inequality and burden state finances; viewed from the perspective of the rule of law (*rechtsstaat*), this demands equal treatment before the law (equality before the law), as well as policies based on the principles of rationality and justice. Upon closer examination, the provision of a lifetime pension to political officials whose terms of office are temporary and not merit-based raises serious questions regarding the consistency of such a policy with the principles of the rule of law (Supriyadi A. Arief, 2019)

An application for judicial review of Law No. 12 of 1980 was filed by a number of parties who felt they had suffered a constitutional violation, in this case on the grounds that they were taxpaying citizens. The petitioners argued that the budget allocation for civil servants' pensions should instead be prioritised for the fulfilment of the public's basic rights, such as education, healthcare, and public infrastructure. They contended that there was legal uncertainty in the pension regulations, particularly regarding the mechanism for granting benefits and the sustainability of pension rights. This lack of clarity in the regulations is deemed to be contrary to the principle of legal certainty as guaranteed in the constitution. Consequently, the judicial review of this law relates not only to aspects of justice but also to aspects of legal certainty and the management of

state finances (Mei Susanto, 2018).

The issuance of Constitutional Court Decision No. 191/PUU-XXIII/2025 marks a significant milestone in the reform of the pension system for public officials in Indonesia. In this decision, the Constitutional Court declared that the provisions regarding pensions in Law No. 12 of 1980 are conditionally unconstitutional. This means that the provisions remain in force for the time being, but must be amended by the legislature within a specified timeframe; otherwise, they will lose their binding legal force. The approach of conditional unconstitutionality adopted by the Constitutional Court demonstrates an effort to maintain a balance between legal certainty and the need for reform. The Court did not directly repeal the existing provisions, but instead provided scope for the legislature to carry out systematic amendments (see the Constitutional Court's Decision).

This ruling undoubtedly has far-reaching implications, not only for the pension system for members of the House of Representatives, but also for the welfare system for public officials as a whole, including at the regional level. This is because the regulatory framework governing the financial entitlements of public officials generally shares similar structures and fundamental principles. Consequently, reforms implemented at the national level have the potential to influence policies at the regional level. Furthermore, this ruling also opens the way for the reconstruction of a pension system based on the principles of contribution and fiscal sustainability. In many countries, public officials' pension systems are based on contributions made during their term of office, thereby better reflecting the principles of fairness and accountability. This ruling

undoubtedly reflects a transformational approach, declaring the provisions in the Act to be conditionally unconstitutional; this allows the law-makers (the House of Representatives and the Government) to make adjustments without undermining the legislative function (in Paulus A. F. D. Santo, 2026).

Constitutional Court Decision No. 191/PUU-XXIII/2025 is of particular interest for analysis as it encompasses various important dimensions, including constitutional, social justice, public policy and state financial dimensions. This decision not only resolves a legal dispute but also provides direction for the reform of the legal system in Indonesia. Consequently, there are several issues to be discussed further in this paper, including: what were the Court's considerations in reaching this decision? What are its implications for the pension system, and how does it relate to the principles of the rule of law and social justice?

Studies on the pension system for public officials, particularly members of the legislature, generally focus on the welfare state perspective, distributive justice, and fiscal policy. Previous research indicates that the provision of a lifetime pension to members of the legislature is often questioned as being disproportionate to their limited term of office, thereby raising criticisms regarding the principles of justice and public budget efficiency.

A recent study specifically examining Constitutional Court Decision No. 191/PUU-XXIII/2025 notes that in this decision, the Court applied a substantive constitutional review grounded in distributive justice and constitutional economics. This decision reflects a shift towards transformative constitutionalism, in which the review of laws serves not only to annul norms,

but also to reconstruct public policy so that it is in harmony with constitutional values (Paulus A. F. D. Santo, 2026).

The inadequacy of the old pension system under Law No. 12 of 1980, which is deemed no longer relevant and fails to reflect the principle of fairness as it provides lifetime benefits for a limited term of office. There is a gap between social justice and the state's fiscal burden, whereby the provision of legislative pensions raises issues regarding the distribution of public funds within the framework of the welfare state, particularly concerning the priority of fulfilling the social rights of the wider public. The absence of a proportional and sustainable model for a legislative pension system, as mandated by the Constitutional Court's ruling, necessitates the establishment of a new system; however, there is as yet no comprehensive normative design to serve as a policy reference.

B. RESEARCH METHODE

This paper employs a normative legal method (Soerjono Soekanto and S. Mamudji, 2015), which emphasises the analysis of applicable legal norms, court rulings, and legal literature to understand the substance of the issue, focusing on the constitutionality of the pension system for legislative members and its implications for the principles of the rule of law and social justice (Yati Nurhayati, 2021). The approaches employed are the conceptual approach and the statutory approach in relation to Constitutional Court Decision No. 191/PUU-XXIII/2025. This case analysis was conducted to explore the ratio decidendi, the Court's legal arguments, and their legal implications for the legislative pension system. This approach also enables the researcher to critically assess how the

Court balances legal certainty with the need for policy reform, through the mechanism of conditional unconstitutionality. Research data was obtained through library research, encompassing books, academic journals, legal articles, official reports of the Constitutional Court, and other secondary legal sources (Teguh Prasetyo, 2019). The data obtained was analysed using descriptive qualitative methods, with the aim of compiling a systematic, logical, and critical account of the reform of the legislative pension system based on the Constitutional Court's rulings.

C. RESULT AND DISCUSSION

1. Legal Rationale of the Constitutional Court in Judgment No. 191/PUU-XXIII/2025

In essence, the legal rationale of a Constitutional Court judgment cannot be separated from the judgment's overall content. The binding force of a decision lies in the operative part of the decision which must be implemented; consequently, all matters deemed important must be included in the operative part. All statements contained in the Constitutional Court's decision, including the legal considerations and the operative part, possess binding force. Legal considerations, as a constitutional interpretation of a law, must be regarded as binding (Fajar Laksono, 2017).

The legal considerations underpinning the Constitutional Court's Decision No. 191/PUU-XXIII/2025 emphasise the principle of equal treatment and constitutional protection for all citizens, including members of the People's Representative Council who are reaching retirement age. In these considerations, the Court conducted an in-depth review of the

provisions of the Law governing the pension rights of legislative members and their relevance to the 1945 Constitution of the Republic of Indonesia. The Court affirmed that any regulation relating to pension rights must be viewed from a constitutional perspective, ensuring that no discrimination arises as a result of provisions that treat certain individuals or groups differently. Thus, this ruling emphasises the importance of a balance between the legislative authority's power to enact regulations and the principle of the protection of constitutional rights (Zaid Afif, 2018).

The Court highlighted the existence of discriminatory provisions that could curtail the rights of members of the House of Representatives upon the expiry of their terms of office. In its analysis, the Court held that whilst legislators have the authority to determine pension rights through legislation, such rights must not undermine the dignity and welfare guaranteed by the Constitution. This consideration is consistent with the principle of the rule of law, which affirms that all legal actions, including legislation concerning pension rights, must be subject to constitutional principles and the principles of justice (Haposan Siallagan, 2016). The Court also took into account the doctrine of the protection of fundamental rights as set out in Articles 28D and 28G of the 1945 Constitution, which emphasise the right to a decent livelihood and fair treatment.

There is an inconsistency between the pension provisions for members of the House of Representatives and the rights granted to civil servants or other state officials. This leads to unequal treatment, which may result in substantial injustice and contravene the principle of equality before the law.

The Court explicitly stated that regulations which do not take into account the principle of equality and the protection of constitutional rights will create legal vulnerabilities and have the potential to violate human rights protected by the constitution. In this context (Mahrus Ali, 2010), the Court employs a progressive interpretation to ensure that existing provisions remain relevant to developments in human rights standards and the principle of social justice.

The Court considered the historical and contextual dimensions underlying the enactment of the legislation subject to judicial review. The Court examined the socio-political background that informed the formulation of the law, including the legislative debates and policy objectives at the time of its adoption. The Court further evaluated the intent of lawmakers as reflected in preparatory documents and official records of deliberation. The Court identified that the regulation was initially designed to ensure institutional stability and provide guarantees for public officials. The Court also acknowledged that such historical interpretation is essential in understanding the normative direction of a legal provision. The Court emphasized that historical analysis should not be detached from present constitutional realities. The Court ultimately used this contextual approach as a foundation for assessing the constitutionality of the disputed norms.

The legislative history of the law indicates a clear intention to establish welfare guarantees for members of the House of Representatives. The legislative framework was constructed to ensure that public officials receive adequate post-service security as a form of state responsibility. The drafters of the law envisioned a system that reflects appreciation for public service

and institutional contribution. The provisions were designed to create a structured pension mechanism aligned with principles of social welfare. The legislative intent also included maintaining the dignity and economic stability of former members after completing their terms. The formulation of these norms was influenced by comparative practices and domestic policy considerations. The legislative history therefore demonstrates a normative aspiration toward welfare protection within the constitutional system.

The practical implementation of certain provisions, however, has revealed inconsistencies with the original legislative intent. The Court observed that in practice, some norms have produced unequal and disproportionate outcomes for former members. The application of the law has, in certain instances, led to the exclusion or marginalisation of individuals who should have been entitled to benefits. The Court identified that administrative interpretation and rigid application contributed to these injustices. The gap between normative design and empirical reality became a central concern in the judicial review process. The Court also noted that legal certainty must not come at the expense of substantive justice. The practical implications of the law thus necessitated a constitutional reassessment of its provisions.

The Court's constitutional interpretation was guided by the principles of justice, equality, and proportionality. The Court interpreted the contested provisions in a manner that aligns with the overarching values of the Constitution. The Court stressed that legislative objectives, while important, cannot override fundamental constitutional guarantees. The Court reaffirmed that all legal norms must be consistent with the protection of individual rights

and equal treatment before the law. The interpretative approach adopted by the Court reflects a commitment to substantive rather than merely formal justice. The Court also emphasized the importance of balancing state interests with individual entitlements. The constitutional interpretation thus served as a corrective mechanism to address normative deficiencies within the law.

The Court's conclusion affirmed that regulations governing the pensions of Members of the House of Representatives must be implemented in a fair and proportionate manner. The Court highlighted that welfare policies must reflect both legal certainty and social justice. The Court underscored that any restriction or limitation must be justified within a constitutional framework. The Court further stated that the rights of former members must not be undermined by administrative or technical interpretations of the law. The Court emphasized that equality before the law requires consistent and non-discriminatory application of pension provisions. The Court's ruling reinforced the principle that state policies must respect constitutional rights in their implementation. The Court ultimately provided a constitutional standard to ensure that future regulations align with justice, fairness, and proportional welfare protection.

The Court emphasised the importance of protecting the economic and social rights of members of the House of Representatives as part of the human rights guaranteed by the Constitution (Umi Qalsum and Arif Wibowo, 2023). The Court held that the right to a pension is not merely an administrative right, but forms part of the economic rights that underpin the dignity and welfare of former members of the legislature. Therefore, any

provision that reduces or restricts pension rights without a clear constitutional justification is deemed to be contrary to the principles of justice and the rule of law. In this regard, the Court cited international doctrine regarding pension rights as a form of social protection that must be guaranteed by the state. Thus, this ruling reinforces the position of pension rights as a constitutional right that must be respected and protected by the legislature.

Overall, it can be concluded that the legal considerations in Constitutional Court Decision No. 191/PUU-XXIII/2025 affirm the principles of equality, the protection of constitutional rights, and social justice as the basis for evaluating the pension regulations for members of the House of Representatives. The Court emphasised that any legislation concerning pension rights must be in harmony with the Constitution, take into account the welfare of Members of the House of Representatives, and uphold the principles of the rule of law and fiscal rationality. This ruling serves as an important reference for legislators in formulating pension policies that are fair, proportionate, and constitutional, whilst strengthening the protection of the rights of former legislative members from the perspective of national law and human rights principles.

2. Legal Implications for the Pension System for Members of the House of Representatives

The legal implications of Constitutional Court Decision No. 191/PUU-XXIII/2025 regarding the pension system for members of the House of Representatives have a significant impact on the legal framework and administrative practices governing pensions in Indonesia. This ruling affirms

that any legal provision governing the pension rights of DPR members must be in line with the principles of equality, justice, and the protection of constitutional rights as guaranteed by the 1945 Constitution of the Republic of Indonesia. Legally, this ruling requires legislators to review existing regulations (Anjas Pangestu, 2024) to ensure they do not result in discrimination or injustice towards retired DPR members. Provisions that previously treated DPR members differently from civil servants or other state officials are deemed in need of reform to achieve legal harmonisation.

The implications of this ruling necessitate procedural changes and adjustments to the mechanism for calculating the pensions of members of the House of Representatives (Anjas Pangestu, 2024). The state financial management body or the institution responsible for pension provision must adjust internal regulations and operational standards to comply with the Constitutional Court's ruling, which includes a review of the pension calculation formula, eligibility criteria, and the pension claims process, which previously may have resulted in unfairness for some members of the House of Representatives. The application of this constitutional principle also emphasises the importance of documentation, auditing, and transparency in the pension administration process, so that every former member of the legislature receives their entitlements proportionately and in accordance with the law.

This Constitutional Court ruling establishes a forward-looking normative framework that significantly influences future legislative approaches in regulating pension rights. This Constitutional Court ruling is expected to

function as a binding constitutional precedent that lawmakers must observe when drafting or amending legislation. This Constitutional Court ruling reinforces the doctrine that judicial interpretations of the Constitution are not merely persuasive but carry authoritative legal force within the legislative process. This Constitutional Court ruling therefore obliges legislators to internalise constitutional standards in every stage of lawmaking. This Constitutional Court ruling also reflects the dynamic interaction between the judiciary and legislature in shaping legal norms. This Constitutional Court ruling underscores the principle that statutory provisions must evolve in harmony with constitutional mandates. This Constitutional Court ruling ultimately serves as a constitutional benchmark guiding the formulation of equitable pension policies.

Lawmakers are consequently required to integrate the principles articulated in the Court's decision into future regulatory frameworks governing pension rights. Lawmakers must ensure that any legislative initiative is consistent with the constitutional guarantees of equality and non-discrimination. Lawmakers are expected to conduct a constitutional compliance review before enacting any provisions related to pensions for members of the House of Representatives. Lawmakers must avoid normative constructions that produce arbitrary or unjust distinctions among beneficiaries. Lawmakers should also adopt a rights-based approach that prioritises the protection of constitutional entitlements. Lawmakers are further encouraged to engage in comparative and empirical analysis to strengthen the legitimacy of proposed regulations. Lawmakers thus bear the

responsibility of translating judicial guidance into coherent and constitutionally sound legislation.

Any draft legislation concerning pension rights must undergo rigorous scrutiny to ensure its alignment with constitutional principles. Any draft legislation must be tested against the standards of equality before the law and proportional protection of rights. Any draft legislation should incorporate safeguards to prevent discriminatory outcomes, whether direct or indirect. Any draft legislation is required to reflect a balance between state interests and individual welfare entitlements. Any draft legislation must also consider the broader implications for social justice and institutional integrity. Any draft legislation should be formulated with clarity to avoid multiple interpretations that could lead to unequal application. Any draft legislation therefore becomes a critical instrument for implementing constitutional values in practical governance.

The legal implications of the ruling extend beyond prospective legislation and encompass the need to evaluate existing regulatory frameworks. The legal implications include the possibility of revising or harmonising current laws that are inconsistent with constitutional standards. The legal implications also involve administrative adjustments in the implementation of pension schemes. The legal implications highlight the necessity of aligning statutory provisions with the Court's interpretation to ensure legal certainty. The legal implications further underscore the role of judicial review as a mechanism for correcting legislative deficiencies. The legal implications may also encourage institutional reforms aimed at strengthening accountability in

public policy. The legal implications thus demonstrate the transformative effect of constitutional adjudication on the legal system.

Decision 191/PUU-XXIII/2025 places substantial normative pressure on the legislature to uphold principles of social justice and the rule of law. Decision 191/PUU-XXIII/2025 compels lawmakers to prioritise the welfare of members of the House of Representatives within a fair and proportional framework. Decision 191/PUU-XXIII/2025 reinforces the obligation to ensure that pension policies are not only legally valid but also socially equitable. Decision 191/PUU-XXIII/2025 highlights the importance of integrating constitutional values into policy-making processes. Decision 191/PUU-XXIII/2025 also strengthens the role of constitutional jurisprudence as a guiding force in legislative development. Decision 191/PUU-XXIII/2025 emphasises that the rule of law requires consistency between judicial decisions and legislative action. Decision 191/PUU-XXIII/2025 ultimately contributes to the development of a more just, accountable, and constitutionally compliant legal order.

Other legal implications may relate to litigation and legal certainty; should any former member of the House of Representatives feel that their pension rights have been infringed upon, they would have a strong legal basis to take legal action to claim their rights in accordance with the Court's ruling. As for the long-term implications, this ruling encourages systemic reform in the management of DPR members' pensions. The pension system, which previously focused solely on administrative aspects, must now take into account the principles of justice, the protection of rights, and the

harmonisation of regulations with other national laws (Aji Rahman Halim, 2021). The application of these principles also requires periodic evaluation of pension regulations and policies to ensure compliance with the Court's ruling. These legal implications will ultimately enhance the accountability, transparency, and legitimacy of the pension system, thereby fostering public trust in the integrity of the legislative body.

This ruling reinforces the Constitutional Court's position as the guardian of the constitution, with the authority to review legal provisions deemed to be in conflict with the principles of human rights and equality. In the context of the pension system for members of the House of Representatives, this means that any legislative action inconsistent with the Court's ruling risks being deemed unconstitutional, making its legal implications binding. This ruling not only affects substantive legal aspects but also provides impetus for procedural improvements and fairer regulations. The legal implications of Decision No. 191/PUU-XXIII/2025 serve as a framework for legal harmonisation, pension system reform, and the upholding of the rule of law in the context of protecting the rights of former DPR members, whilst providing a clear legal basis for the adjustment of current and future pension administration regulations.

3. The Relevance of Constitutional Court Decision No. 191/PUU-XXIII/2025 to the Principles of the Rule of Law and Social Justice

The relevance of Constitutional Court Decision No. 191/PUU-XXIII/2025 to the principles of the rule of law and social justice is of paramount importance to understand within the context of Indonesia's legal

and political system. This decision affirms that every regulation, including those governing the pension rights of members of the House of Representatives, must be in harmony with constitutional principles and social justice, as guaranteed by the 1945 Constitution. In the context of the rule of law, the administration of the state is not merely a matter of legal formalities but must be realised through the protection of citizens' rights and the achievement of equitable social welfare (Aji Rahman Halim, 2021). In this regard, it relates to the principle of equality before the law. The Constitutional Court's ruling indicates that discriminatory or disproportionate legal provisions regarding the granting of pension rights are contrary to the principle of the rule of law and may lead to social injustice.

The importance of equality or equal treatment for all citizens (Ibnu A. S. Waliden et al., 2022), including members of the House of Representatives who have completed their term of office. The previous pension provisions for the DPR differed significantly from the rights of civil servants or other state officials; this was deemed to create injustice and had the potential to undermine the principle of equality before the law and social justice. This ruling is directly relevant to the upholding of the rule of law, as it affirms that the law must not only be obeyed but must also be fair, proportionate, and non-discriminatory. This ruling is relevant to the principle of social justice, which forms the philosophical foundation of Pancasila, particularly the fifth principle which emphasises the welfare of all the people of Indonesia. The Court affirmed that the pension rights of DPR members constitute part of economic rights that uphold the dignity and welfare of former legislative

members. From the perspective of social justice, the state has a responsibility to ensure that these rights are granted fairly, proportionately, and without disadvantaging specific groups. Thus, the Constitutional Court's ruling serves as a mechanism for strengthening social justice through the balanced and harmonious enforcement of constitutional rights.

The relevance of this ruling is also evident in the context of the harmonisation of national law (Suyeni et al., 2025), in which the Constitutional Court emphasised that any regulation that conflicts with or is inconsistent with the principles of equality and social justice must be revised to bring it into line with the 1945 Constitution. In this context, the fact that the pension provisions for members of the House of Representatives, which were previously inconsistent with the rights of civil servants or other state officials, provides a concrete example of the need for regulations grounded in the principles of the rule of law and equitable justice, and in line with fiscal rationalisation. This ruling affirms that the harmonisation of regulations is an integral part of social justice, as inconsistent regulations can lead to disparities and injustice among citizens regarding access to pension benefits.

In the previous discussion regarding its implications for equitable state governance in accordance with Pancasila, this ruling promotes transparency, accountability and procedural improvements within the pension system for members of the House of Representatives. The Court emphasised that pension administration must be based on the principles of justice and the protection of constitutional rights. This includes fair calculation mechanisms, transparent claims processes, and the formulation of regulations that are

proportionately harmonious. Thus, the Constitutional Court's ruling is not only normatively relevant but also influences administrative practice and state governance, strengthening the implementation of the rule of law that serves the public interest fairly. In the context of public policy evaluation and reform, legislators are expected to review existing regulations to ensure they are more aligned with the principles of social justice and the rule of law (Ibnu A. S. Waliden et al., 2022). This means that every draft law or revision of regulations concerning the pensions of members of the House of Representatives must be tested against the perspectives of the constitution, equality, and the protection of fundamental rights. The Constitutional Court's ruling serves as a strong legal foundation for rejecting or revising unfair provisions, whilst also serving as a guide for policymakers to formulate rules that are more responsive to the principles of the rule of law and social justice.

The relevance of the Constitutional Court's ruling can also be viewed philosophically as a strengthening of legal norms (Bagus S. Prabowo and Wiryanto Wiryanto, 2022) that integrate the principle of social justice into the practice of the rule of law. The Court emphasised that the law must not be mechanistic or merely administrative, but must reflect the values of justice, equality, and the protection of citizens' rights. This ruling sets an important precedent in ensuring that every public policy, particularly those relating to economic and social rights, must be implemented whilst taking into account the welfare of society and the equitable fulfilment of constitutional rights. Thus, this ruling strengthens the synergy between the principles of the rule of law and social justice within the national legal

system, whilst also serving as a key guideline for the implementation of fair and proportionate public policies regarding pension entitlements for public officials at both central and regional levels in Indonesia.

D. CONCLUSION

The issuance of Constitutional Court Decision No. 191/PUU-XXIII/2025 has had a significant impact on the pension system for members of the House of Representatives, as well as on constitutional relevance within the framework of the rule of law and social justice. The Court's legal reasoning emphasises the importance of equal treatment, the protection of constitutional rights, and social justice in any regulation governing pension rights. This ruling promotes legal harmonisation, pension system reform, and procedural and administrative improvements to ensure that pension rights are granted in a proportionate, fair, and transparent manner. The legal implications of this ruling also affect future legislation and the administration of state affairs, and provide a legal basis for former members of the House of Representatives to claim their rights in the event of a breach. Philosophically, this ruling affirms that the law must reflect the values of social justice and the protection of citizens' rights, rather than merely administrative compliance.

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