



Constitutional Design of Minimum Age for Ministerial Candidates in Indonesia

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Abstract

The 1945 Constitution of the Republic of Indonesia and Law No. 39 of 2008 on State Ministries do not explicitly set a minimum age requirement to become a minister. This omission may lead to legal uncertainty. This study aims to formulate an ideal constitutional design that aligns with the principles of the rule of law, equal rights of citizens, and the presidential system of government as mandated by the 1945 Constitution of the Republic of Indonesia. The method used in this study is normative legal research, employing a legislative, conceptual, and comparative legal approach. Primary and secondary legal materials were collected through literature studies and then analyzed qualitatively using prescriptive-analytical techniques. The results of the study indicate that setting a minimum age limit for ministerial candidates could create legal uncertainty and contradict the guarantee of equality before the law. This study concludes that an appropriate constitutional design requires an age limit that is proportional and measurable, formulated through a legislative program or judicial review of the Law on State Ministries, to ensure legal certainty while encouraging the realization of transparent governance.

Keywords: Constitutional Design, Minimum Age Limit, Ministerial Candidates

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INTRODUCTION

Indonesia as a country that adheres the presidential system based on the 1945 constitution of the Republic of Indonesia in article 4 chapter 1 indicates that President have power of government. Another indication found in article 17 chapter 1 stated that the President assisted by ministers and emphasized in Article 17 chapter 3, the Minister is responsible for certain matters (Zen Zanibar, 2018). Doctrinally, the presidential system means that each institution, the President, the House of Representatives, and the judiciary, supervise each other. As the holder of executive power, the President can appoint government officials (Ministers) within a constitutional framework, with Ministers directly reporting to the President and answerable only to the President. Therefore, the President has the right to appoint and dismiss the Ministers (Gunawan, 2018).

Legal basis of appointments and dismissal the minister by President be regulated at law number 39 of 2008 concerning the state minis) (Hendrawati et al., 2024). The qualification of ministers is stated rigidly, to be appointed as a minister, the qualification are as follows; (1) Indonesian citizen, (2) Fear of Almighty God, (3) Faithful to Pancasila as national principle and proclamation, (4) physically and mentally health, (5) Integrity and good personality, (6) at no time sentenced to prison based on court decision that final and binding for a crime that punishable of 5 (five) years or more. Persons who are sentenced to prison for political reasons and have received rehabilitation are exclude from this provision (Ariyanto & Maulana Kafrawi, 2022).

Six of those qualifications aim to restrict on Presidential prerogative right. However it's emphasized that a minister appointed by President has integrity, professionalism on his work, competent, capable to resolving the problem, leadership experience and have the ability to cooperate with President. From a

number of qualifications mentioned, there is no minimum of age to become a minister, it means that the President can appoint a minister without age limit, even if still relatively young (Nggilu & Wantu, 2020).

The issue of the minimum age requirement for Ministerial candidates is basically a very fundamental matter, especially since Ministers are part of assisting the President's performance. Why is it fundamental? because as an executive, minister has the same criteria as the president. Referring to one of the requirements to become President is a minimum age of 35 years and having served as a regional head based on the decision of the Constitutional Court Number 90 / PUU-XXI / 2023, which initially the minimum age for Presidential / Vice Presidential candidates was 40 years old in Law Number 7 of 2017 concerning Elections. This can be the reason why a submission of a Judicial review of the Law is one important, that the minimum age is urgent in every public office, including ministers (Usman & Setiadi, 2023).

Discussion of the minimum age limit for ministerial candidate has become urgent, in view of the minimum age limit for presidential and vice president candidates stipulated in Law Number 7 of 2017 becomes an object of judicial review by constitutional court. At first glance, it's just a matter of age, however it has a universal impact of Constitutional Court Decision Number 90/PUU-XXI/2023 which has various issues to the principle of justice and the integrity of constitutional court, and has long term on the political and legal system in Indonesia (Fauzan et al., 2024).

The study concerning minister's age limit of public officials, already much completed. For example, the theme related to the ministry position. According to (Sorik et al., 2022), appointment of the minister nowadays on the contrary to meritocracy and potentially be affected by political parties, the appointment of the minister have obvious indicator, based on meritocracy, competence and integrity, objective selection, and focus on public interest, so that the ministers carry out task devoid political bias.

According to Isnawati (Isnawati et al., 2023), the appointment of a minister should not be the President prerogative, however, it must involve institutions to implement check and balance. This idea contributes to administer an accountable government. In agreement with Sorik et al. (2022), Isnawati et al. (2023) and Rifhandana (Raditya Feda Rifandhana et al., 2025) initiate the importance of fit and proper test, by academics experts as a specific procedure, to minimize the reshuffles, which would reduce the public trust.

Several previous studies have a good recommendation for reconstructing the mechanism to appoint the ministers, however no one criticized concerning of the minimum age the ministerial candidate. In addition to the studies above, some studies relate to age minimum of public office become a spotlight, for instance the minimum age of President and Vice President candidates after the constitutional court decision Number 90/PUU-XXI/2023. According to Abdul Hadi (Abdul Hadi, 2025), the requirement of the age isn't the only one parameter in accessing of eligibility, nevertheless including the competence and public trust. similarly as Abdul Hadi, (Gusman & Oliveira, 2023) conclude that the determination of the age President and vice president candidates is an objective and formal requirement. However, the decision of constitutional court on the minimum age has implications to young people who has experienced as regional head but they are already 35 years old.

The other study concerning the age minimum of public officer by (Dayanti & Setyono, 2025), focus of their study is on the different decision of constitutional court and supreme of court on the age minimum of regional head. The decision of supreme court requires a specific minimum age of the candidate at inauguration, while the constitutional court decides that requires a minimum age during the registration as a regional head candidate. Even though it's a different decision due to the perspective, at least there is a law related to the minimum age requirement for regional head. Based on the previous study, discussions regarding the minimum age for ministerial public office haven't been found so far and would be answered in this study. Furthermore, the previous study didn't compare to the minimum age requirements for prospective public officers in other laws and regulations; rather, they were simply a comparison. In this study, an attempt was made to analyze the results of the minutes reading session of each law containing the reasons of setting up the minimum age for public officers. This research certainly contributes as part of the institutional restructuring of ministries, starting with the requirements for prospective ministers, which must also include a minimum age in the State Ministry Law.

METHOD

This study uses a normative or doctrinal legal research method, which aims to analyze the legal vacuum regarding the minimum age requirements for ministerial candidates in Law Number 39 of 2008 concerning State Ministries. This study uses the statutory approach and the comparative approach. The statutory approach is carried out by examining all relevant regulations, including the 1945 Constitution (Articles 4 and 17), Law Number 39 of 2008, Law Number 7 of 2017 concerning Elections, and Constitutional Court Decision Number 90/PUU-XXI/2023. The comparative approach is used to compare the minimum age requirements for various other public positions (president,

vice president, regional head and other public officers) and to analyze the law making sessions on the other act set by legislator's minimum age requirement. The legal materials used consist of primary legal materials (statutory regulations, Constitutional Court decisions, and session minutes, secondary legal materials (textbooks, scientific journals and legal dictionaries. The data collection technique was a literature study by inventorying and copying the legal documents, including transcribing the portion of the DPR session minutes discussing ministerial qualifications.

Data analysis was conducted qualitatively and normatively through three stages: interpretation of the legal text, legal argumentation to assess the urgency of the minimum age requirement, and cross verification between the findings of the session minutes and legal doctrine. To ensure validity and replicability, this study provided an audit trail in the form of coding sheets and interpretation notes, and cited all sources transparently. The research procedures started with the collection of legal materials, the retrieval of session minutes, systematic reading, comparative analysis, interpretation, and conclusion drawing. This method allows readers to evaluate the suitability of the methodology, verify the findings regarding the absence of a minimum age requirement for ministerial candidates, and replicate this research in the future should there be legal changes or new court decisions.

RESULT AND DISCUSSION

The Minimum Age of Public Office Based on Indonesia Law and Regulations

Act Number 7 of 2017 concerning General Elections declare a minimum age for the candidates of People's Representative Council (DPR), Regional Representative Council (DPD), and the Regional People's Representative Council (DPRD), which is 21 years old (Sarah & Suatmiati, 2022). Philosophically, it's based on the representative function inherent in legislative institutions, because legislative institutions are tasked with representing the diverse aspirations of the people from all levels of society including youth. The determination an age threshold which is too high could potentially cause inequality in citizens' political participation (Stockemer & Sundström, 2025). However this does not mean that the relatively young eligibility age for the position of legislators disregards the competency of legislative aspirants. It is expected to be a fair system of selection whereby the people will vote for their candidate based on performance, competency, and personal connection to the constituency.

Act Number 10 of 2016 regarding the Second Amendment to Law Number 1 of 2015 regarding the Election of Governors, Regents, and Mayors regulates two different minimum age levels based on the local government hierarchy. Governors and Vice Governors are required to be at least 30 years old, while Regents, vice Regents, Mayors, and Vice Mayors are required to be at least 25 years old (Mareta et al., 2025). The distinction of age minimum between governors and regents/mayors reflects the level of responsibility and complexity of the issues faced by provincial and district/city governments. Governors manage a wider area with more complex coordination between districts/cities, thus requiring greater maturity and experience than district/city heads.

As opposed to the other two branches, the age requirement for the judiciary is higher. Act Number 3 of 2009 on the Supreme Court stipulates that the minimum age for a candidate of Supreme Court judges should be 45 years, while the maximum age limit should be 70 years when they retire from service. On the other hand, Act Number 7 of 2020 on the Constitutional Court states that the minimum age requirement for candidates of Constitutional Court judges should be 55 years. This is a major amendment from the previous act, which only required judges aged 47 years (Rishan et al., 2022).

A high age limit for judges cannot be ignored from a basic perspective. For positions such as judges, particularly those at the level of the Supreme and Constitutional Courts, it entails having accumulated adequate legal knowledge, a wise interpretation of laws, and a sound character that has been developed over the course of their career as a judge (Lutfi & Ibrahim Nur, 2022). Such traits do not appear overnight but take many years to acquire. The legal technical competence and public confidence required in a position entailing the highest judicial capacity are inseparable parameters, and both of which are easier to establish by means of experience gained over time (Skoczylas & Piątek, 2023).

Judicial positions have a different, even inverse, logic from the executive and legislative branches regarding age requirements. Law No. 3 of 2009 concerning the Supreme Court sets a minimum age requirement of 45 years for Supreme Court justice candidates, with the end of service at age 70. This is no small number. Furthermore, Law No. 7 of 2020 concerning the Constitutional

Court even sets a minimum age of 55 as the entry point, a significant increase from the previous requirement of only 47 years (Rishan et al., 2022). This isn't a matter of age discrimination or mere formality. The judgeships of the Supreme Court and Constitutional Court are not merely technical positions that can be filled by anyone who knows the articles by heart. There are layers of legal understanding that only develop over time, intuition for interpreting norms that isn't born from textbooks, and integrity that has been tested by various pressures throughout one's career.

The Indonesian Constitutional Court's age limit increase from 47 to 55 has a darker narrative behind it, at 2020 revision can be read as a kind of correction, even an indirect admission, that the institution has had problems. By selecting judges who have passed the peak of their career ambitions, the logic of the lawmakers is simple: those who are no longer pursuing the next position will have more freedom to decide cases without calculating their own interests (Kurniawan & Refiasari, 2024). On the scale of the state institution, however, age ceiling is not just a bureaucratic matter. For instance, Article 35(1) of the amended KPK Law No. 19 of 2019 (Asis, 2024) requires that candidates be at least 50 but no more than 65 years old. Age restrictions are rationalized in terms of maturity, but this rationale may be disputed since it does not necessarily guarantee integrity.

The establishment of relatively high age thresholds in institutions like the Corruption Eradication Commission (KPK) and election organizers is not a policy born out of a vacuum. Behind it lies a strong normative assumption that officials mandated to oversee corruption and manage democratic processes must have undergone adequate intellectual and professional character development. Independence of attitude and maturity of judgment, in this context, are not innate capacities but rather something formed through the accumulation of long experience (Juliana et al., 2024).

At the level of independent state institutions that carry out the function of monitoring and administering elections, the minimum age limit is also quite strictly regulated. Law Number 19 of 2019 concerning Amendments to Law Number 30 of 2002 concerning the Corruption Eradication Commission (KPK) stipulates that anyone wishing to run for KPK commissioner must be at least 50 years old, at the time of registration (Noorlaila et al., 2025). Law Number 7 of 2017 concerning General Elections actually sets a lower threshold, which is 40 years old, and applies to those wishing to serve as members of the Central General Elections Commission (KPU) or the Central Elections Supervisory Agency (Bawaslu) (Hidayatulloh, 2019).

Categories related to the minimum age for each public position in Indonesia, presented in the following table:

Table 1. Comparison of Minimum Age Requirements for Public Offices in Indonesia

Based on prevailing laws and regulations of the Republic of Indonesia

○ Moderate age (21–35 years)
 ○ High age (40–55 years)
 ○ Not regulated

No.	Public Office	Legal Basis	Minimum Age	Remarks
1	President and Vice President	Law No. 7 of 2017 on General Elections jo. Constitutional Court Decision No. 90/PUU-XXI/2023	35 years *	Originally 40 years; lowered to 35 years by the Constitutional Court for candidates with experience as regional heads
2	Members of DPR / DPRD (House of Representatives)	Law No. 7 of 2017 on General Elections	21 years	Assessed at the time of candidate registration
3	Members of DPD (Regional Representatives Council)	Law No. 7 of 2017 on General Elections	21 years	Assessed at the time of candidate registration
4	Governor and Deputy Governor	Law No. 10 of 2016 on Regional Head Elections	30 years	Differing interpretations exist between the Constitutional Court and Supreme Court on the point of age assessment
5	Regent / Mayor and Deputy	Law No. 10 of 2016 on Regional Head Elections	25 years	Assessed at the time of candidate registration
6	Supreme Court Justice	Law No. 3 of 2009 on the Supreme Court	45 years	Maximum age of 70 years; selected through the Judicial Commission screening process
7	Constitutional Court Justice	Law No. 7 of 2020 on the Constitutional Court	55 years	Raised from 47 years through the 2020 amendment to the Constitutional Court Law
8	Commissioner of the Corruption Eradication Commission (KPK)	Law No. 19 of 2019 on the KPK	50 years	Maximum age of 65 years at the time of registration
9	Member of the General Elections Commission (KPU)	Law No. 7 of 2017 on General Elections	40 years	Applies to the chairperson and all members of the National KPU
10	Member of the Elections Supervisory Body (Bawaslu)	Law No. 7 of 2017 on General Elections	40 years	Applies to the chairperson and all members of the National Bawaslu
11	State Minister	Law No. 39 of 2008 on State Ministries	Not regulated	No minimum age requirement exists — a normative vacuum within the prevailing legislation

* Constitutional Court Decision No. 90/PUU-XXI/2023 permits candidates under 40 years of age provided they currently hold or have previously held the office of regional head. The absolute minimum age thereby becomes 35 years.

Source: Compiled from various laws and regulations (2009–2023).

Based on the extensive discussion outlined, two major interrelated conclusions. On the one hand, legislators are aware of the importance of age limits for strategic positions in government. But on the other hand, there is a significant regulatory gap in the ministerial position, which hasn't been set concerning the minimum age. The legal gap regarding the minimum age for ministerial candidates must be addressed immediately, as ministers are not merely administrative positions but crucial executive branches directly related to the lives of the people. Therefore, revising Law No. 39 of 2008 concerning State Ministries is no longer merely academic discourse but a pressing, concrete need.

Constitutional Design of Minimum Age Limit for Ministerial Candidates in Indonesia

The Constitutional Court Decision No. 37-39/PUU-VII/2010 which previously affirmed that the Constitution does not specify a certain minimum or maximum age limit for a government position, and that this arrangement is adjusted to the characteristics of the needs of each position, has actually provided a fairly clear legal umbrella. However, along the way, this consistency has been undermined by recent decisions that have become increasingly active. (Hardianto et al., 2024) noted that the Constitutional Court's inconsistency in deciding similar cases in just a matter of days shows that this institution is vulnerable to political pressure on issues related to strategic positions. This kind of fragility is a strong argument for the need to set an age limit at the constitutional level in order to be protected from ad hoc dynamics.

How Indonesia should design this provision constitutionally is not a simple question. There are at least three normative architecture options to consider. First, maintaining the status quo,

namely the age requirement at the legal level with the flexibility that the House of Representatives and the president can change at any time through legislative revision. Second, raising the age requirement to the constitutional level to be more rigid and protected from politically motivated changes. Third, remove the formal age requirement altogether and replace it with a more substantive and objectively measurable technical competency requirement. Each of these choices has different consequences for political dynamics, the quality of government, and constitutional legitimacy (Subandri, 2024).

The first option, namely maintaining the regulation at the legal level, is indeed the most pragmatic. However, it contains a fundamental weakness because it is too easy to change or even step over. In Indonesia's executive-centric presidential system, the president has great power to pressure the House of Representatives to revise laws according to his interests. The fact that the State Ministry Law has undergone several changes, most recently through Law Number 61 of 2024 which was promulgated at the same time as the inauguration of the *Merah Putih* Cabinet, shows that this norm is not really stable. (Arifin et al., 2020) have earlier criticized how the philosophy of the preparation of Indonesia's coalition cabinet tends to place political considerations above all else, including above the applicable legal norms.

The second option, the constitutionalization of the age requirement, is more normatively robust but faces serious practical challenges. Constitutional amendments in Indonesia require the approval of two-thirds of the members of the MPR present, and such a political consensus is particularly difficult to achieve amid the fragmentation of existing parties. In addition, incorporating a specific age number into the constitution risks freezing provisions that may need to be adjusted as demographic and social changes. (Siregar & Prabandari, 2024), in his study of the dynamic relationship between the Supreme Court and the Constitutional Court implicitly highlights that Indonesia's institutional configuration is still too dynamic to be frozen through rigid constitutional norms. Imagine if the 35-year figure that feels moderate today becomes very conservative two decades from now.

The third option is the most radical as well as the most interesting to discuss academically. The idea of replacing the age requirement with measurable competency requirements is not without precedent. France, Germany and UK impose no formal minimum age for ministerial appointment, relying instead on professional track record and prior public office experience as de facto vetting criteria within party nomination processes (Stockemer & Sundström, 2021). This does not mean that age-based qualifications fall outside the scope of constitutional review. Both the Human Rights Committee's General Comment No. 25 on the ICCPR and comparative equal protection jurisprudence recognize that age-based classifications are subject to review and must be grounded in objective and reasonable criteria rather than arbitrary assumptions (Kohn, 2010).

The Constitutional Court's Decision Number 90/PUU-XXI/2023 demonstrates how judicial institutions can play a role as quasi-constituent power that shapes constitutional designs through interpretation, not just through formal amendments. This phenomenon of political judicialization, as criticized by (Perdana & Imam, 2023). They argued that the constitutional design of the age limit is not solely a matter of normative texts, but also a product of the power dynamics between state institutions. More than that, (Asmirullah & Setiawan, 2026) in their latest analysis in the Journal of Legislation concluded that the consideration of the constitutionality of the overlapping age requirement between the domain of the Constitutional Court and lawmakers is actually a reflection of the immature institutional design of the Indonesian constitutional system after the amendment.

There is one dimension that is often overlooked in this discussion, namely the dimension of gender and diversity in the design of age requirements. Women on average start their political careers later than men due to the double burden of domestic and structural discrimination that is still entrenched. This means that the minimum age requirement that is too high can indirectly be discriminatory against women. On the other hand, an excessively low minimum age requirement without compensating experience requirements could benefit individuals from wealthy families who have earlier access to the network of power. (Suarlin & Fatmawati, 2022) in their study of democracy and human rights emphasize that any restriction of political rights, including in the age dimension, must be tested not only from a formal legal perspective but also from a substantive justice perspective that considers the social context.

Ultimately, the constitutional design of the minimum age limit for ministerial candidates in Indonesia reflects the larger issue of how the country wants to understand the relationship between age, experience, legitimacy, and executive power. The current provisions, which after the last change have become increasingly vague and unassertive. It compromises the reflect political

inertia rather than deliberate and well-thought-out normative choices. Indonesia needs a more serious constitutional study that involves various perspectives, not only constitutional law academics but also political scientists, sociologists, and of course civil society who have often been absent from the process of forming this kind of fundamental norm. A good constitution is not only one that is textually perfect, but one that is able to respond to social realities with honesty and courage.

This study presents a distinct contribution that has not been addressed in prior scholarship: the identification of a constitutional vacuum specifically regarding the minimum age requirement for ministerial candidates in Indonesia. Unlike previous studies that primarily focused on the ministerial appointment mechanism, presidential prerogatives, and meritocracy-based selection (Sorik et al., 2022; Isnawati et al., 2023; Rifandhana et al., 2024), Furthermore, there is research that discusses the assessment of ministerial performance, whether it is influenced by gender (Devroe, 2022). Allocating the ministerial to an outsider to fit the responsibility (Kaltenegger & Ennsner-Jedenastik, 2022), Technocrats and regime loyalty under autocracy (York, 2024), and the research question of study of Technocrat or partisan cabinet ministers: Does it make a difference? Evidence from an endorsement experiment with the bureaucracy (Batista, 2024). This study examines the legal vacuum in Law Number 39 of 2008 concerning State Ministries by normative research that integrates statutory, conceptual, and comparative approaches. Furthermore, this study reveals that the minimum age of ministers is absent; this matter includes the category of no legal certainty, therefore, it should exist in the State Ministries law as one of the qualifications. This research proposed three options for the constitutional design frameworks to complete the legal vacuum.

The primary findings of this research there is a regulatory gap concerning public officers' positions. Including the President and Vice President, members of the legislature (DPR, DPD, DPRD), regional heads, the judges of the Supreme Court and Constitutional Court, KPK commissioners, and members of the KPU and Bawaslu, the minimum age requirements are defined in regulations. The ministers are excluded from the threshold, although they are part of the executive role under Articles 4 and 17 of the 1945 Constitution. The Constitutional Court decision Number 90/PUU-XXI/2023 should be the legal basis of the age reconfiguration in the executive sphere for setting the minimum age of 35 years for ministers candidate constitutionally to respond to this legal vacuum, by revision of Law Number 39 of 2008 concerning the Ministry of State.

The results of this study are consistent with an international study on age qualifications in officers, Stockemer & Sundström, (2025) indicate that age is a tool to ensure the maturity of individuals. Similarly. Abdul Hadi, (2025) argues that the age thresholds of Indonesia President Candidate as a proxy for experience in public service. The most common design of constitutional government worldwide distinguishes between elected and appointed executives in setting the age qualifications, reinforcing the study's argument that ministers, as appointed officials within a presidential system, require specific legitimacy. Skoczylas & Piątek, (2023) promote this matters reinforced by the proof that the executive positions are based on experience, does not necessarily create good governance.

While this study echoes previous research on the importance of age thresholds for executive positions, there are some significant differences. Previous studies focused on presidential and regional head candidates. Previous studies in Indonesia on age requirements focused on elected positions, specifically the presidency and regional heads (Gusman & Oliveira, (2023); Dayanti & Setyono, (2025). This study analyzes ministerial positions, which are directly appointed by the president, without considering a minimum age. This is because, legally, there is no minimum age specified for ministerial candidates. It's means if the president selects a minister who is 20 years old, it cannot be legally challenged, even in President Jokowi's cabinet, and re-elected to the Merah Putih Cabinet, there was a minister as young as 34. Additionally, Hardianto et al., (2024) the constitutional court's decision on age caused by political pressure, whereas this research views the legal vacuum as an opportunity for statutory reform.

This study's contribution to constitutional law. Theoretically, this study strengthens the understanding of how a legal vacuum in ministerial requirements creates constitutional instability and undermines the supremacy of law. The absence of an age threshold for ministers is an inequality. Practically, this study provides an important note for the legislature and policymakers. It is necessary to change the law and add a minimum age requirement for ministerial candidates.

The impact of this study is spread across many fields of study, including politics and policy. From a legal perspective, revising Law No. 39 of 2008 is urgent through a national legislative

program, and ensure to ask for the opinion of members of the DPR session. Politically, establishing a minimum age of 35 years as a signal of normative commitment to the merit system in building logic that has long characterized Indonesian cabinet formation (Arifin et al., 2020). For policy, the minimum age for ministry candidate become a standard measure of maturity, experience in determining various policies according to their respective fields. For future research, scholars are encouraged to conduct empirical studies examining the actual age profiles of ministers across Indonesia's post-reform cabinets (1999 to present) to determine whether an unwritten age norm has emerged in practice and how this compares with the formal legal vacuum. Additionally, comparative studies examining how other presidential systems in Southeast Asia regulate ministerial minimum age.

CONCLUSION

Based on the results of the research and discussion, it was found that, both in the regulation and in practice, for every public position in Indonesia is regulated regarding the minimum age limit and clearly stated in its substance. The public positions mentioned are executive positions, legislative positions and judicial positions as well as several other public positions. However, it is not mentioned specifically for ministerial positions. The legal vacuum must be filled with constitutional design through an open legal policy carried out by the legislature.

This study recommends setting a minimum age limit of 35 years for ministerial candidates in Indonesia, with several key considerations: in accordance with the Constitutional Court Decision Number 90/PUU-XXI/2023 which is the benchmark for executive positions, relevance to realistic professional maturity standards, and ease of implementation without substantially sacrificing the flexibility of the president's prerogative. The recommended constitutional mechanism is through the revision of the Law on State Ministry. The constitutional design in this context is not just age in the form of numbers written in one article of the law, but how to strengthen legal certainty as a state of law and ensure that the Indonesian government has a solid institutional foundation in responding to the challenges of national legal development.

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