

ISLAMIC RELIGIOUS EDUCATION AND THE NATIONAL EDUCATION SYSTEM LAW

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Abstract

This article examines Islamic Education and its position in the National Education System Law. The method used in this research is descriptive-qualitative and is included in the literature review. The process of data collection in this study is by making observations, in the sense of tracking various references related to the study's focus, both from books, articles, and so on, that serve to support these data. The data analysis technique used in this study is the content analysis method. From the study, it can be seen that Islamic education gets legitimacy to exist and get a place to live and develop in Indonesia to meet the educational needs of the Muslim community as the majority citizen. The state's accommodation of the Islamic education system gives Islamic education systems and institutions a strong foundation to be developed with financial support and attention from the state. Therefore, the state must develop the Islamic education system as one type of religious education in the national education system. In the national education system, Islamic education as a religious education system is implemented in various channels, namely formal, informal, and non-formal.

Keywords: Islamic Education, Law, Education

Abstrak

Artikel ini mengkaji Pendidikan Islam dan posisinya dalam Undang-undang Sistem Pendidikan Nasional. Metode yang digunakan dalam penelitian ini adalah metode deskriptif-kualitatif, dan termasuk dalam kajian literatur. Proses pengumpulan data dalam kajian ini adalah dengan melakukan observasi, dalam arti dengan melakukan pelacakan terhadap berbagai referensi yang memiliki relevansi terkait fokus kajian, baik dari buku-buku, artikel, dan lain sebagainya yang berfungsi menunjang data-data tersebut. Teknik analisis data yang dilakukan dalam kajian ini adalah metode analisis isi. Dari kajian yang dilakukan, dapat diketahui bahwa pendidikan Islam mendapat legitimasi untuk eksis dan mendapatkan tempat untuk hidup dan berkembang di Indonesia untuk memenuhi kebutuhannya pendidikan bagi masyarakat Islam sebagai warga mayoritas. Akomodasi negara terhadap sistem pendidikan Islam menjadikan sistem dan lembaga pendidikan Islam memiliki landasan kuat untuk dikembangkan dengan support dana dan atensi dari negara. Oleh karena itu, negara berkewajiban untuk mengembangkan sistem pendidikan Islam sebagai salah satu jenis pendidikan keagamaan dalam sistem pendidikan nasional. Dalam sistem pendidikan nasional, pendidikan Islam sebagai sistem pendidikan keagamaan dilaksanakan dalam berbagai jalur yaitu formal, informal dan non formal.

Kata Kunci: PAI, Undang-undang, Pendidikan

PENDAHULUAN

Some challenge the implementation of religious education in schools. Those who

oppose religious education insist that religious education should be taught by parents or through religious teachers outside of school. Those who are pro-religious education deny the idea and consider it a crazy idea. The opposing view to implementing religious education in schools is certainly very sad. Moreover, Indonesia is based on Pancasila, whose first principle is the *One True God*. Not to mention instilling religious values optimally, the Indonesian people have been presented again with the discourse of eliminating religious education in schools. At the same time, education is the main key to reviving Indonesia, which is in a slump (Kadi & Awwaliyah, 2017).

Of course, this discourse is very inappropriate and difficult to accept by Indonesian people who are predominantly Muslim. Eliminating religious education in schools is allegedly part of an effort to depolarize the archipelago or an outbreak of Islam phobia. The idea is the fruit of secular thinking that considers religion separate in life's arena. Religious identity is accused of polarizing society due to religious sentiments. This simple article discusses religious education's position in Indonesia in the National Education System Law (UU Sisdiknas). Moreover, every country has a national education system enshrined in its laws, while Indonesia's National Education System Law is based on Pancasila and the 1945 Constitution..

METODE DAN LANDASAN TEORI

The method used in this research is descriptive-qualitative and is included in *library research*. The use of the descriptive-qualitative method is due to its suitability with the object and focus of the study. This research seeks to produce findings that cannot be achieved through measurement or statistical procedures (Soehadha, 2012). A literature study is used to collect information and data with the help of various materials in the library, such as documents, books, magazines, historical stories, *etc* (Moleong, 2006).

The data collection process in this research is by making observations, in the sense of tracking various references related to the study's focus, both from books, articles, and so on, that serve to support these data (Moleong, 2006). The data analysis technique used in this research is the *content* analysis method. In this analysis, selecting, comparing, combining, and sorting information obtained from related data sources will be carried out to obtain valid inferences (Hajaroh, 2010).

HASIL DAN PEMBAHASAN

Concept of Islamic Education

Education has an important position in human life. Islam, as a *rahmatan lil alamin* religion, seriously focuses on developing education for human survival. Education as a process will undoubtedly give birth to many benefits and great wisdom for the journey of human life (Fauzi, 2015). According to the Arabic dictionary, *At-Tarbiyah* comes from three words, namely the *first* raba-yarbu, which means to increase and grow; the *second* rabiya-yarba this word follows the wazan khafiya- yakhfa which means to become large; the *third* rabba-yarubbu is a word that follows the wazan madda-yamuddu which means to improve, master affairs, guide, guard, and maintain (Baharun, 2016). The word *tarbiyah* is a mashdar of *rabba-yurabbiy-tarbiyatan* following the wazan fa'ala-yaf'ilu-taf'ilan. This word is found in the Qur'an surah al-isra' verse 24: Meaning: *humble yourself before them with great affection and say: "O my Lord, love them both, as they have nurtured me in my childhood."*

It can be concluded that *tarbiyah* has four elements, namely: guarding and maintaining the fitrah of the child before puberty, developing all the potential and readiness of various kinds,

directing all the fitrah and potential of the child towards the goodness and perfection that is worthy of him, this process is carried out in stages (Jalal, 1977).

Ta'lim is a process of providing knowledge, understanding, understanding responsibility, and instilling trust so that there is purification or cleansing of the human self from all impurities that make the human self in a condition that can make it possible to receive *al-hikmah* and learn everything useful and that is not known (Daradjat, 2000).

In classical times people only recognized the term *ta'dib* to indicate educational activities. This definition continued to be used throughout the heyday of Islam until all knowledge produced by the human mind at that time was called *adab*, whether directly related to Islam or not. An educator at that time was called *mu'addib*. *Ta'dib* is an introduction and recognition that occurs gradually instilled in humans about the right place of everything in the order of creation in such a way as to guide towards recognition and recognition of the power and majesty of God in the order of existence and existence (Azra, 1999).

According to Zakiah Darajat, Islamic education is the formation of a Muslim personality. Or changes in attitude and behavior by the instructions of Islamic teachings (Daradjat, 2000). Muhammad Quthb, as quoted by Abdullah Idi, stated that Islamic Education is an effort to make a comprehensive approach to the human form, both in terms of body and soul and physical and mental activities on this earth (Daradjat, 2000).

Omar Muhammad At-Toumy said Islamic education is the process of changing individual behavior in personal life, society, and the surrounding environment, by teaching as an essential activity and a profession among the essential professions in society (At-Toumy, 1979).

Meanwhile, Islamic education is an activity that is carried out in a planned and systematic manner to develop the potential of students based on Islamic religious principles (Indianto et al., 2023). Islamic education aims to achieve a balance in the growth of the human person through psychological exercises, reason, intelligence, feelings, and the five senses it has. And as for the ultimate goal of education is the formation of Islamic behavior (noble character) and submission (faith) to Allah based on the guidance of Islamic teachings (Al-Qur'an and Hadith).

Foundations of National Education

Every nation has a national education system; its national education is based on and imbued with its culture. The culture is loaded with values that grow and develop through history so that it colors the entire life of a nation. Likewise, the Indonesian nation had a state philosophy, namely Pancasila and the 1945 Constitution, stipulated in Law No. 20 of 2003 concerning the Basic Education System of the Republic of Indonesia in 1945. Pancasila is a guideline that shows the nation's direction, ideals, and goals. Pancasila is the basis of the national education system to educate the nation's life, as stated in the preamble of the 1945 Constitution and Pancasila, so Indonesian national education is Pancasila education (Junaid, 2012).

The appreciation and practice of Pancasila are reflected in the 45 value points of the Pancasila appreciation and practice guidelines. Therefore, through the national education system based on Pancasila and the 1945 Constitution as a form of living values of the Indonesian nation, it is hoped that every citizen will be used as a guide for life, especially in maintaining his life, developing himself and jointly building his society, so that he becomes a dignified nation in the eyes of the world. Dignity means having self-respect, identity, and

integrity as a nation.

It can be seen how the position of religion (religious education) in the 2003 National Education System Law. Various Articles explain that religious education is a source of value and part of national education. Religious education has an urgent role in developing the potential of students to have religious, spiritual strength, noble character, and Muslim personality (specifically Islamic religion) (Fauzi, 2015).

The objectives of national education, as outlined in Law No. 20 of 2003 on the National Education System, state that national education aims to develop the potential of students to become human beings who have faith and devotion to God Almighty, have a noble character, are physically and mentally healthy, knowledgeable, capable, creative, independent, and become democratic and responsible citizens.

For the sake of structuring national education that truly reflects the nation's life, national education must have several foundations, among others: philosophical, sociological, and juridical. Philosophical foundation, Indonesian national education philosophy is rooted in the cultural values contained in Pancasila. The values of Pancasila must be instilled in each learner through the implementation of national education at all levels and levels and types of education. These values color the content of lessons in the curriculum and the style of implementation. Furthermore, achieving a cultural value as a philosophical foundation aims to develop talents, interests, and intelligence in the maximum possible empowerment (Anwar, 2014).

Two things are considered in determining the philosophical foundation of Indonesian national education. First is the view of the Indonesian human being as (1) Creatures of God Almighty with all their nature, (2) Individual creatures with all their rights and obligations, (3) Social creatures with all the responsibilities that live in a pluralistic society both in terms of the socio-cultural environment, the environment and the progress of the unitary Republic of Indonesia amid a global society that is always developing with all its challenges (Aunillah, 2011).

Sociological foundation, educational activities are a process of interaction between two individuals and even two generations, which allows the next generation to develop themselves in line with the development and progress of society in their time. Education is an important vehicle and effective medium for teaching norms, socializing values, and instilling a work ethic among citizens (Humaedah & Almubarak, 2021).

Cultural Foundation, The third foundation of education is the cultural foundation. Education is always related to humans, while every human being is always a member of society and a supporter of a particular culture. Therefore in the Law of the Republic of Indonesia, no. 20 of 2003, Article 1 paragraph 2 has been confirmed that national education is education based on Pancasila and the 1945 Constitution of the Republic of Indonesia, which is rooted in religious values, Indonesian national culture and responsive to changing times. Culture and education have a reciprocal relationship; culture can be inherited by passing on to the next generation through education. Conversely, the implementation of education is also determined by the culture of the community where the education process takes place (*UU No. 20 Tahun 2003 Tentang Sistem Pendidikan Nasional [JDIH BPK RI]*, n.d.).

Psychological Foundation, The fourth foundation of education is the psychological foundation. Education always involves aspects of the human psyche, so psychology is one of the important foundations of education. Understanding students from a psychological aspect is one of the success factors of education. As an implication, education may treat students differently. Curriculum preparation must be careful in determining the level of learning

experience that will be used as the outline of the teaching program and the level of detail of the learning materials outlined (Junaid, 2012).

Scientific and Technological Foundation, The fifth foundation of education is the Scientific and Technological Foundation. Education and science and technology have a close relationship. As is known, science and technology become the content of study in education; in other words, education plays a very important role in the inheritance and development of science and technology. On the other hand, every development of science and technology must be immediately implemented by the education system, namely by immediately incorporating the results of the development of science and technology into the content of teaching materials (Rubiyanto, 2003).

The juridical foundation, the last foundation of education, is the juridical foundation. As the main organization of national education, it is necessary to implement it based on the law. This is very urgent because the essence of national education is the realization of the will of the 1945 Constitution, especially Article 31 concerning Education and Culture.

The principle of education is something truth that becomes the basis or foundation of thinking, both at the design and implementation stages of education. Specifically in Indonesia, several education principles provide direction in designing and implementing national education: Tut Wuri Handayani Principle, Lifelong Learning Principle, and Independence in Learning Principle. These three principles are relevant to efforts to foster and develop national education, both now and in the future, to realize quality education. Therefore, every education personnel must understand exactly these three principles so that they can be practiced optimally in the implementation of daily education (Tirtarahardja & Solo, 2008).

In Indonesian national education, Islamic Religious Education in schools has a strong position. It is very strong because the position of Islamic religious education has a formal juridical basis in the system of state and nation. Several juridical foundations can be used as a reference that Islamic religious education is a subsystem of national education (Baharun, 2016).

First, Pancasila is the ideal basis of the nation and state, as well as the ideal basis of Indonesian national education. Pancasila, as the philosophy of the state and the ideal basis of the Indonesian Nation, is essentially a value. Of the five basic values, especially the value of the Godhead is the most basic and first compared to other values. This means that the education of moral values derived from God occupies a very important and strategic position in Indonesia's national education context. This is where Islamic religious education has a role in instilling Islamic religious values in school students. In addition, the other four basic values are upheld in Islamic Religious Education's teachings (Baharun, 2016).

Second, the 1945 Constitution (UUD'45) is Indonesia's constitutional foundation of national education. Article 29, paragraph (2) states that the *State guarantees and protects every Indonesian citizen's right to embrace religion by their religious beliefs*. The religions referred to above by the Circular Letter of the Minister of Home Affairs number 477/74054 dated November 18, 1978, are Islam, Catholicism, Protestantism, Hinduism, and Buddhism. This means that the Government of Indonesia provides a clear and free space to foster the beliefs of the religion they embrace. This means that the constitution officially recognizes and appreciates and is full of responsibility to develop religious and moral values in the life of the nation and state through the instrument of national education (Muslih & Mamat, 2009).

Third, the National Education System (Sisdiknas) Number 20 of 2003 is the operational basis for implementing National Education in Indonesia. With this foundation, the status and role of Islamic Religious Education in national education are getting stronger. Article 12 part (1) of the National Education System Law emphasizes the right to teach Religious Education

to students and taught by teachers and taught by religious teachers the religion of the students. To fulfill the right to the religious education of learners, Article 37 section (1) states that 'the primary and secondary education curriculum must include religious education, civic education, language, mathematics, social science, arts and culture, physical education and sports, skills / vocational and local content.' Islamic Religious Education teachers must teach religious education, civic education, language, mathematics, social science, arts and culture, physical education and sports, skills / vocational, and local content. This means that Islamic Religious Education teachers have a strong foundation to develop the process of teaching Islamic Religious Education at school (Muslih & Mamat, 2009).

Islamic Education in the 2003 National Education System Law

The history of Islamic education in Indonesia has faced various problems, ranging from conceptual-theoretical to practical operations. This can be seen from the backwardness of Islamic education with other quantitative and qualitative education so that Islamic education is impressed as education is unimportant or has nothing to do with worldly life. Ironically, the majority of Indonesia's population is Muslim, but in terms of education, it is uprooted from the teachings of Islam, resulting in a downturn in life (Suyatno, 2012).

Indonesia is also not a secular state but a Pancasila state. The Formulation of the first principle of Pancasila and Article 29 of the 1945 Constitution Paragraph 1 gives a distinctive character to the Indonesian state, not a secular state that separates religion and the state; the Pancasila State guarantees the freedom of every citizen to practice religion and must maintain noble character based on the values of Pancasila. It is natural, then, that the Government of Indonesia continues to view that religion occupies an important position in this country as a source of prevailing values (Assegaf, 2007).

Law No. 20 of 2003 in Chapter II, article 3 that "National education functions to develop abilities and form the character and civilization of a dignified nation to educate the nation's life, aims to develop the potential of students to become human beings of faith and devotion to God Almighty, noble, healthy, knowledgeable, capable, creative, independent and become democratic and responsible citizens. (*UU No. 20 Tahun 2003 Tentang Sistem Pendidikan Nasional [JDIH BPK RI]*, n.d.)"

The National Education System Law Article 1 paragraph (1) confirms that education is a conscious and planned effort to create a learning atmosphere and learning process so that students actively develop their potential to have religious, spiritual strength, self-control, personality, intelligence, noble character, and skills needed by themselves, society, nation, and state (Effendi, n.d.).

Then in Article 1, paragraph (2), national education is explained as education based on Pancasila and the 1945 Constitution of the Republic of Indonesia, which is rooted in religious values and national culture and responsive to the demands of changing times. Religion is an educational goal (so that students have religious and spiritual strength) and a source of value in the national education process (Jabali, 2002).

Types of religious education also get open space in the National Education System Law, such as Madrasah Ibtidaiyah (MI) and Madrasah Msanawiyah (MTs), or other equivalent forms in Article 17 paragraph (2) and; Madrasah Aliyah (MA), or other equivalent forms in Article 18 paragraph (3); and Raudatul Athfal (RA), or other equivalent forms in Article 28 paragraph (3). This means that religious education is one type of national education.

Religious education can be organized in formal, non-formal, and informal education

channels. Religious education includes diniyah education, pesantren, pasraman, pabhaja samanera, and other similar forms. In this case, religious education is the government's and society's responsibility. In addition to traditional schools/madrasahs established by the government, such as MIN, MTsN, and MAN, the community can also organize religious education, both formal (pesantren, madrasah), non-formal (Qur'an education park (TPA), majlis taklim) and informal (madrasah diniyah).

Regarding the preparation of the education curriculum, Article 36 paragraph (3) emphasizes that the preparation of the curriculum must take into account the improvement of faith and holiness; namely, the curriculum is prepared by the level of education within the framework of the Unitary State of the Republic of Indonesia by paying attention to the improvement of faith and piety, improvement of noble character; and so on. Furthermore, Article 37 states that the primary and secondary education curriculum must contain: religious education and the higher education curriculum must contain religious education, civic education, and language.

These articles position Islamic education within the framework of the national education system, stating that Islamic education is part of the national education system. In the explanation of article 15 of the National Education System Law No. 20/2003, religious education is basic, secondary, and tertiary education that prepares students to carry out roles that require mastery of knowledge about religious teachings or become religious scholars.

The 2003 National Education System Law is an attempt by the government to improve Islamic education in Indonesia. However, some reasons are that the government has not realized it consistently, for example, in Article 49, paragraph 1 on the education budget¹⁶. The improvement efforts have not been made fundamentally, so it seems sober. Efforts to reform and improve Islamic education are often piecemeal or not comprehensive, and most Islamic education systems and institutions still need to be managed professionally (Azra;, 1999).

Abdur Rahman Assegaf, quoting the opinion of M. Arifin, that religious education after being required in schools, although it still needs to be refined, shows that its influence in changing the behavior of adolescents is relatively better than the conditions before religious education was required. At least the influence of religious education can minimally instill seeds of faith that can be a preventive force against the negative actions of adolescents or even encourage them to behave morally and by their religious norms (Baidlowi, 2000). Then the results of research conducted by Miftah Baidlowi in schools in Sleman Regency, among others, show that religious education contributes significantly to the practice of students' religious values (Assegaf, 2007).

Religious education has an important role in shaping students to actively develop their potential to have spiritual, and spiritual strength, devotion to God Almighty, and noble behavior/morals. Still, Islamic religious education institutions in Indonesia have been running quite well. The stigma of religious education is still seen as secondary education by some people and has begun to erode. This is evidenced by the increasing public interest in sending their sons and daughters to religious education institutions, such as Madrasah and Pesantren..

PENUTUP

Islamic Religious Education is an integral part of the National Education System. As part of the national education system, Islamic education is legitimized to exist. It has a place to live and develop in Indonesia to meet the educational needs of the Muslim community as the majority of citizens. State accommodation of the Islamic education system gives the Islamic education system and institutions a strong foundation to be developed with financial support and attention from the state. Therefore, the state must develop the Islamic education system as one type of

religious education in the national education system. In the national education system, Islamic education as a religious education system is implemented in various channels, namely formal, informal, and non-formal.

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Catatan:

Penulisan kutipan menggunakan *body note*. Berikut ini contoh penulisan *body note*.

Menurut Weber (2012:48), agama memiliki peran penting dan menjadi faktor yang menentukan dalam kemunculan kapitalisme di Eropa dan Amerika Serikat.