

Strengthening Pesantren Education After The Enactment of Law Number 18 of 2019 Concerning Islamic Boarding Schools (Pesantren)

Bazari Syam

Sekolah Tinggi Agama Islam Assalamiyah
e-mail: bazariahmad2@gmail.com

Ade Fartini

UIN Sultan Maulana Hasanuddin Banten
e-mail: ade.fartini@gmail.com

Abstract

The Indonesian constitution UUD 1945 has a mandate to educate the nation's citizens by upgrading the human resources through education. Consequently, some policies are taken by the Indonesian government, including the law No 20 of 2003 concerning the National Education System to upgrade education. Among education institutions in Indonesia, the oldest institution is Islamic Boarding Schools (Pesantren), which have special and unique characteristics. Pesantren, which has existed for a long time, still has little attention from the government. Since the Indonesian independence, the Pesantren almost had no special protection in law and policies. The Law of National Education System, for example, has only mentioned one chapter about Pesantren, so it makes the problems and challenges collide with each other due to the absence of stringent law. Therefore, the government needs to make and validate the born of Law No 18, 2019 on Pesantren as an effort to give a big chance for Pesantren to maintain the quantity as well as the quality of the Pesantren in order to have competition and professional aspects, so that the Pesantren will be able to produce graduates amidst the Globalization Era, and come up with the better education quality services.

Keywords: Regulation, Education, Pesantren

A. INTRODUCTION

Research on Strengthening Islamic Boarding School education after the stipulation of the regulation of Law Number 18 of 2019 concerning Islamic Boarding Schools aims to find out how the journey of Islamic boarding school education before and after the enactment of Law Number 18 of 2019 and to what extent the strengthening of the existence of Islamic boarding schools after the legality of the law and government policies on their sustainability. This research uses quantitative and qualitative methods to produce findings that prove pesantren and their existence after the enactment of Law Number 18 of 2019.

Education is important issue for human life. Education is the key to the future success and the way to open many good opportunities in life. Education brings many benefits to humans, such as illuminating thoughts to have a good vision. Education helps people plan their jobs and achieve higher education up to college degrees. Education not only helps people try to think, feel, and act for their success but also those around them.

Education is educators' activity to change students' mindsets and behavior based on prevailing social values and norms. Human life involves the behavior and social norms of the environmental dimension throughout his life. The environment of something that exists outside of humans consists of geography, demography, and production techniques. Law No. 20 of 2003 concerning the National Education System Article 1, Paragraph 1 said, "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 himself, society, nation, and state.

As a developing country, the Indonesian people are trying to find ways to become a developed country, especially in the field of education. The Indonesian education system is a national education system designed to achieve superior education and be able to respond to the challenges of a changing

era. Superior education can be seen from the vision and mission of the national education system as stated in the Law of the Republic of Indonesia Number 20 of 2003 concerning the National Education System as follows: "The realization of the education system as a strong and authoritative social institution to empower all Indonesian citizens to develop into qualified human beings so that they are capable and proactive in responding to the challenges of an ever-changing era." Achieving a superior national education system requires many supporting components such as the environment, infrastructure, resources, and society. These components work together, depend on each other, and support each other in achieving educational goals.

Educational components include: National education goals based on the national education system law Law no. 20 of 2003 is to "develop the potential of students to become human beings who believe and fear God Almighty, have noble character, are healthy, knowledgeable, capable, creative, independent, and become democratic and responsible citizens."

In addition, the Indonesian education system regulates religious education as stated in Law No. 20/2003 Article 30 Paragraph (1) Religious education is organized by the Government and/or community groups of religious adherents, in accordance with statutory regulations. (2) Religious education has the function of preparing students to become members of the community who understand and practice the values of their religious teachings and/or become experts in religious knowledge. (3) Religious education can be held through formal, non-formal, and informal education channels. (4) Religious education is in the form of diniyah education, pesantren, pasraman, pabhaja samanera, and other similar forms.

In Indonesia, pesantren education is an educational institution that has been running for hundreds of years. Pesantren education has proven its existence and continues to grow from time to time since the kingdom in the archipelago, the Dutch colonial period until Indonesia's independence. Pesantren education is an education system based on Islam. Historically, Pesantren has dominated general education and other Islamic education in Indonesia. In fact, Pesantren has made a significant contribution to comprehensive Islamic education in Indonesia as they provide education to millions of Muslim youth including poor and remote rural boys and girls. Pesantren is the only education available for them to have knowledge and is a place to provide moral and spiritual education. (Bustamam-Ahmad 2002)

According to Zamakhsyari Dhofier (1995), "The Islamic spirit of pesantren is known as the fortress of the Islamic Ummah (the fortress of Muslims) and the center of the spread of Islam". Islamic boarding school education has characteristics that identify five basic characteristics, namely the leader of the pesantren (Kyai), mosque, boarding school (student dormitory), santri (students), and teaching and learning from classical Islamic books (yellow-yellow books), books that used as a differentiator from other educational institutions. Pondok Pesantren is an Islamic educational and research institution that has a history of contributing to socio-religious movements. This educational institution is the oldest Islamic educational institution in Indonesia. That is why many people refer to him as the "father" of Islamic education in this Muslim-majority country. Islamic boarding schools were born from the needs and needs of the community because in ancient times there were no formal educational institutions that taught religious education. (Zamakhsyari Dhofier, 1995)

The teaching methods and typology of pesantren have specificities in terms of their education implementation, namely:

1) Islamic boarding school learning method

- a. sorogan
- b. Wetonan
- c. Bandongan
- d. Halaqoh
- e. Tahfidz
- f. Hiwar

2) Typology of pesantren

- a. Traditional Pesantren .
- b. Modern Pesantren.
- c. Comprehensive Pesantren. (Daulay 2009)

It is undeniable that pesantren is the institution with the largest and most entrenched education system in Indonesia. The world of pesantren in its overall picture, describes itself as a barometer, a very characteristic element of people's lives in general, but does not change and is not affected by the evolving dynamics of the environment around them, at least if we imagine the changes. So change can only be understood on a long term scale. But the general idea among the people is that those who think about pesantren are direct objects that are difficult to talk about about change, their world view is difficult to understand, and because of that people are reluctant to talk about it. Then, those who feel they have power or influence try to attract public attention to pesantren, which is known as the "sacred place of society." Finally, citizens usually view the global educational institutions of pesantren as almost a symbol of backwardness and decline. (Dawam Raharjo 1974).



Figure 1

This template is designed to assist Author in preparing manuscript; it is an exact representation of the format expected by the editor. To use this template, please just *Save As* this MS Word file to your document, then copy and paste your document here. To copy and paste the text to this template document, please use "Special Paste" and choose "Unformatted Text".

All papers submitted to the journal should be written in good English. Authors for whom English is not their native language are encouraged to have their paper checked before submission for grammar and clarity. English language and copyediting services can be provided by: International Editing and Asia Editing. The work should not have been published or submitted for publication elsewhere. The official language of the manuscript to be published in *Tsaqofah* journal is Bahasa, Arabic, and English.

In **Introduction**, Authors should state the objectives of the work at the end of introduction section. Before the objective, Authors should provide an adequate background, and very short literature survey in order to record the existing solutions/method, to show which is the best of previous researches, to show the main limitation of the previous researches, to show what do you hope to achieve (to solve the limitation), and to show the scientific merit or novelties of the paper. Avoid a detailed literature survey or a summary of the results.

B. RESEARCH METHOD

This research uses quantitative methods by analyzing government policies towards pesantren education and how is the legality of pesantren after seventy-four years of Indonesia's independence. The author in this discussion examined the urgency of the law on the National Education System and then the birth of the pesantren law (Law Number 18 of 2019 concerning Pesantren) as the law regulation for pesantren education.

C. RESULT AND DISCUSSION

The existence of Pesantren

Pesantren is a unique environment, as can be concluded according to its outward image. Usually, Pesantren has an educational environment and dormitories that are separate from the outside community. Within the pesantren environment, there are several buildings consisting of a caregiver's residence, a mosque as a place of teaching/pedagogy, and a dormitory as a residence for students. There is no exclusive model for the physical development of a pesantren, so it is not uncommon to find improvisation in its arrangement, although in the end it looks less organized.

The factors of health and physical and spiritual fitness of the students are important to be considered in the term of building mindset for the development of religious education. As one of the characteristics, Pesantren makes a schedule of routine activities that must be carried out by their students for 24 hours. Other characteristics that exist in Islamic boarding schools are also shown through the structure of the learning model provided. In systematic pedagogy, there are levels of lessons that are repeated over the years, even though the text books used are different. In addition, the learning system that seems traditional does not place any discoveries on the modern system. This unique pedagogical structure has special values and certainly forms a special ethos and aspirations as well. Vision to achieve recognition of Allah SWT. at the end of the day occupies the most important position in the education of religious values in Pesantren, the vision in the terminology of Islamic boarding schools is known as "sincerity". Orientation towards the afterlife is the main basis of pesantren life. (Dawam Raharjo 1974)

The problems of pesantren that are faced by the interests and debates about modernizing pesantren as a way to reduce radicalism, fundamentalism, extremism, and militancy can help us to understand the big picture of pesantren, people's views of pesantren sometimes do not give us an interpretable picture of what pesantren is like. the level of daily activities and how pesantren deal with and deal with problems related to funding, teaching, human resources supply of teachers, and infrastructure facilities in pesantren. The curriculum is one of the most important problems in education, and this is also a problem that occurs in pesantren. There are many negative opinions about the existence of pesantren, that pesantren at that time were considered insensitive, difficult to accept change (renewal), while maintaining the traditional education model (salafiyah).) pesantren becomes a kind of institution that becomes a kind of institution. tend to be monopolistic and isolated from social life in general. Even more skeptical, assumes that the process of pesantren education depends on the taste of the kiai. There are still many people who underestimate it. There are still many people who underestimate the pesantren. This happens because many people actually do not know and understand about Islamic boarding schools, so they give a bad assessment of pesantren.

The problem occurred after the passing of the pesantren law legislation. The problems faced by pesantren after the enactment of the pesantren law will differ depending on the conditions of each pesantren, some are complex, complicated, difficult, and some are simple and easy. However, it is possible that there are also problems that will be faced universally. So it can be said that the challenges of pesantren after the enactment of the pesantren law are divided into two, there are specific challenges and common ones, in the form of internal and external challenges.

The objectives of the enactment of Law Number 18 of 2019 concerning Islamic Boarding Schools are as follows:

- a. Forming individuals who excel in various fields who understand and practice the values of their religious teachings and or become experts in religious knowledge who are faithful, pious, have noble character, are knowledgeable, independent, help each other, are balanced, and moderate;
- b. Forming a moderate understanding of religion and religiosity and love for the homeland and forming behaviors that encourage the creation of religious harmony;
- c. Improving the quality of life of empowered people in meeting the educational needs of citizens and the social welfare of the community. (Islamic Boarding School Law, 2019)

Recognition of Pondok Pesantren

The definition of Pondok Pesantren is two terms that show one meaning. Pesantren according to its basic understanding is a place of learning for the students, and Pondok means a simple house or residence made of bamboo. Besides that, the word pondok may come from the Arabic Funduq which means dormitory or kobong. In Java, including Sunda and Madura, the terms Pondok and Pesantren are generally used, while in Aceh it is known as dayah or rangkang or menuasa, while in Minangkabau it is called surau. (Zamakhsyari Dhofier 1995)

Pesantren education is an educational institution that is hundreds of years old even before Indonesia became the first unitary state, pesantren as an educational institution that broadcasts Islam and the oldest education in Indonesia, in line with the social dynamics of people's lives, this function has developed to be more advanced and varied, although In essence, it cannot be separated from its actual function as the broadcasting of the Islamic religion.

The long history of Pesantren education has inscribed values that uphold Islam in social and state life. History records that Pesantren made a major contribution to the struggle of the Indonesian nation and state during the colonial era to independence, and today the existence of Pesantren continues to fill the nation's development and improve human resource education, in line with the Constitution of the Republic of Indonesia in the preamble of the 4th paragraph "..... to educate the life of the nation...". (People's Consultative Assembly, General Secretariat n.d.)

The right of citizens to receive education without discrimination as mandated by the constitution in Article 28 C "Everyone has the right to develop themselves through the fulfillment of their basic needs, has the right to receive education and benefit from science and technology, art and culture, in order to improve the quality of their life and for the welfare of the people." mankind" and Article 31 Paragraph (1) Every citizen has the right to education. Paragraph (2) Every citizen is obliged to attend basic education and the government is obliged to pay for it. Paragraph (3) The government seeks and organizes a national education system, which increases faith and piety as well as noble character in the context of the intellectual life of the nation, which is regulated by law. Paragraph (4) The state prioritizes the education budget at least twenty percent (20%) of the state revenue and expenditure budget as well as from the regional revenue and expenditure budget to meet the needs of national education administration. Paragraph (5) The government shall advance science and technology by upholding religious values and national unity for the advancement of civilization and the welfare of mankind. (People's Consultative Assembly General Secretariat n.d.)

Indonesia's national education policy actually occupies a central position in efforts to advance the Indonesian nation and improve human resources. (Nugroho 2009) In making superior policies, the government must refer to the regulations that have been mutually agreed upon, namely the constitution and the laws under it. The education process is based on Law Number 20 of 2003 concerning the National Education System Article 1 Paragraph 1 "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 himself, society, nation and state. And Paragraph (2) "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 is responsive to the demands of changing times". In Article 1 Paragraphs 1 and 2 it is explained that Indonesian education cannot be separated from religious values and spiritual strength. (Law on the National Education System n.d.)

The regulations above show the importance of education that is extracted from religious values. Furthermore, Article 30 of the National Education System Law is explained in Paragraph (1) "Religious education is carried out by the Government and/or community groups of religious adherents, in accordance with statutory regulations". Paragraph (2) "Religious education has the function of preparing students to become members of the community who understand and practice the values of their religious teachings and/or become experts in religious knowledge". Paragraph (3) "Paragraph (4)

“Religious education is in the form of diniyah education, pesantren, pasraman, pabhaja samanera, and other similar forms”. Although only one article is contained in the National Education System Law regarding religious education and the paragraph that accommodates the existence of Islamic boarding schools. However, pesantren is developing and showing its existence as an educational institution that participates in filling and developing Indonesian human resources.

To build human resources through quality education, there are important aspects that influence them, including school facilities and infrastructure, qualified teachers, and the competence of students who have various qualified skills. In this case, many Islamic boarding schools do not have the facilities and infrastructure that are able to support quality education and students who have various skills. This is also in the background by the history of the founding of Islamic boarding schools. In the Islamic Encyclopedia, there are two versions of opinion regarding the origin and background of the establishment of Islamic boarding schools in Indonesia. First, the opinion which states that Islamic boarding schools are rooted in the peculiarities and traditions of the tarekat. Second, the Islamic boarding school as we know it today was originally a takeover of the pesantren system which was held by the Hindus of the Archipelago (Hoeve 2000).

To improve human resources through education, competencies are needed, namely academic competence, professional competence, dealing with change, scholarship and spiritual values. Islamic boarding schools in improving human resources are rooted in Islamic teachings, namely through the holy book of the Qur'an and the Prophet's Hadith, as contained in the Qur'an Surah Al-Alaq Verses 1 to 5:

Meaning: (1) Read by (mentioning) the name of your Lord Who created. (2) He has created man from a clot of blood. (3) Read, and your Lord is Most Gracious. (4) Those who teach (humans) by means of kalam. (5) He teaches man what he does not know. (Al-Qur'an and Translation)

Furthermore, the hadith of the prophet that builds the values of developing human resources is the hadith of the Prophet which means; "Indeed I was sent to the world to perfect morals and character" (H.R. Ahmad, Baihaqi and Hakim).

Recognition of Islamic boarding schools in the midst of society and the state in building a scientific civilization, culture and ethos of noble values with all the challenges faced by pesantren appear and grow without waiting for rewards from anyone and without waiting for help from the government. The Islamic boarding school continues to do good deeds in accordance with the aspirations of the community.

The Urgency of the Establishment of Law Number 18 of 2019 concerning Islamic Boarding Schools/Pesantren.

Pesantren has proven to be one of the main pillars of education in Indonesia. Pesantren can help to form a strong national character. Many human resources born from Islamic boarding schools are able to make a major contribution to the nation and state. Simplicity, sincerity, love of knowledge, respect for kiai/ustadz, courage to live independently are values and spirit that kiai always remind. There should not be fights in the pesantren environment. What must be realized and present is a sincere and warm friendship. The world of Islamic boarding schools is known to be safe, comfortable and peaceful, because from the beginning, children have been accustomed to being close to the people and society around them. (Hidayat 2016)

The rapid progress and development of the modern world. The changes in Indonesia which have been colored by the emergence of the reformation era and globalization have raised a number of challenges and problems in the world of education, especially Islamic boarding schools. Islamic boarding schools as educational institutions for scholars (Muslim intellectuals) in general continue to carry out their mission so that people become tafaquh fiddin and motivate prospective ulama in their mission and function as warasat al anbiya. This is continuously fought for and maintained so that the pesantren is not uprooted from its main roots which have been institutionalized for hundreds of years.

Then came the demands for modernization of pesantren, as the impact of modernization of education in general, of course it is a natural thing as long as it concerns the operational technical aspects of education. So, modernization does not then make pesantren carry over to secularization because it turns out that secular education which is currently a trend in the world of education, with its modern education, is unable to create an independent generation. On the other hand, pesantren, which are known for their traditional traditions, can produce graduates who have personality and are independent. Islamic boarding schools scattered in remote corners of the archipelago, have also contributed to the charity in the noble effort of "character building" of the Indonesian nation (Ismail, 1984).

The process and implementation of pesantren is a community-based educational which is established by individuals, foundations, or by community organizations. Pesantren education is the oldest education in Indonesia that involves non-governmental organizations as a form of embodiment of education from, by, and for the community that provides teaching and inculcating the values of faith and devotion to Allah S.W.T.

Indonesia as a democratic country that protects the existence of religion in the constitution and sees from the aim of the national education system that it aims to develop the potential of students to become human beings who believe and fear God Almighty, have noble character, are healthy, knowledgeable, capable, creative, independent, and become democratic and responsible citizens.

Pesantren in the National Education System Act are only listed in one article so they have not accommodated the existence of Pesantren universally. To protect the implementation of pesantren education, regulations are needed to ensure that pesantren are educational institutions. Regulations are needed to provide acknowledgment, affirmation, facilities and infrastructure to pesantren based on their uniqueness. Meanwhile, the regulations regarding Pesantren have not accommodated the development, aspirations and legal needs of the community, and have not placed their legal arrangements within the framework of integrated and comprehensive laws and regulations.

The enactment of Law Number 18 of 2019 concerning Islamic Boarding Schools is expected to be able to guarantee the existence of Islamic boarding schools and become the legal basis to guarantee and provide confirmation of the quality assurance of pesantren and graduates, equality of guidance from the government in the form of facilities and infrastructure assistance in an effort to achieve national education goals. The existence of the pesantren law as a reinforcement of the role of pesantren in the development of human resources fills the development of the nation and state. Law Number 18 of 2019 concerning Islamic Boarding Schools is not intended to "limit" the independence of students and religious education. On the other hand, this law should recognize the uniqueness of pesantren in Indonesia, and emphasize and facilitate the development of pesantren and religious education, in an equitable manner. The existence of the pesantren law can provide a very strong legal position and basis in the joint efforts of the nation and state to support the development and progress of pesantren in the future.

The challenges that must be faced after the birth of Law No. 18/2019, Islamic boarding schools are held with the aim of forming excellent individuals in various fields who understand and practice the values of their religious teachings and or become experts in religious knowledge who believe, are pious, have noble character, are knowledgeable, independent, please -helpful, balanced, and moderate; form a moderate understanding of religion and religiosity and love for the homeland and shape behavior that encourages the creation of religious harmony; and improve the quality of life of empowered communities in meeting the educational needs of citizens and the social welfare of the community. (Law on Islamic Boarding Schools/Pesantren, 2019)

To realize the objectives mandated in the law on Pesantren, Pesantren must have the ability to improve human resources (HR) and have learning system plan (curriculum) that is able to answer the needs of the future work and society. Pesantren or Islamic boarding schools whose students stay at school for 24 hours are important to ensure security, comfort, food, facilities and infrastructure. There are some points that must be facilitated by the manager:

1. Availability of educators (teachers, clerics, head of dormitory and Kiai), students are placed in adequate, clean and healthy dormitories according to their age and class.
2. Availability of places of worship, places of study, laboratories, language centers, places to eat and bathrooms.
3. Availability of sports facilities, cooperatives and health clinics for dormitory residents.
4. Recreational facilities such as art and cultural performances, games, digital information media and newspapers are provided for dormitory residents.
5. Dormitory caretakers must always be punctual and maintain strict discipline.
6. Availability of facilities and infrastructure for students to improve their knowledge and skills according to their interests and talents.

After the enactment of the Pesantren legislation, the most important thing is the recognition (recognition) of the State towards pesantren and pesantren graduates, both formal and non-formal pesantren. Formal Islamic boarding schools in this law include mu'adah education and formal diniyah education, as well as ma'had ali. Meanwhile, the non-formal education path learns the material and memorization of the yellow book with a unique learning method. Both formal and informal, all graduates of Islamic boarding schools are recognized as equal to graduates of formal education at a certain level, after passing the exam and graduates can continue to higher levels of formal education, both equivalent and not, and able to compete in job opportunities.

With the enactment of the pesantren law, it encourages pesantren to have a great opportunity to improve the quality and quality of pesantren management and the quality of graduation from a more professional and accountable pesantren is expected to be more advanced and developed.

D. CONCLUSION

As an educational institution that provides education to produce superior human resources with knowledge and noble religious values, Islamic boarding schools have similarities with other educational institutions in teaching and learning. However, Islamic boarding schools are educational institutions that have unique characteristics that do not exist in other types of educational institutions. The demand for changes in the implementation of pesantren education is a demand that cannot be rejected. At this time, pesantren, like other educational institutions, cannot escape the demands and needs of a change.

State policy with the enactment of Law Number 18 of 2019 concerning pesantren provides a great opportunity for pesantren to increase the quantity and quality of pesantren to have professional competitiveness and be able to generate graduates who have the capability to respond to the challenges of world globalization. The challenge faced by pesantren is that pesantren managers must be really focused and serious in managing their pesantren. Pesantren must be managed well, continuously, and professionally. Pesantren have elements that form pesantren, namely leadership patterns (kiyai), santri management, learning process management, boarding school management, and learning facilities that must be carried out in a professional, innovative and quality manner. Conclusions should answer the objectives of research. Tells how your work advances the field from the present state of knowledge. Without clear Conclusions, reviewers and readers will find it difficult to judge the work, and whether or not it merits publication in the journal. Do not repeat the Abstract, or just list experimental results. Provide a clear scientific justification for your work, and indicate possible applications and extensions. You should also suggest future experiments and/or point out those that are underway.

E. REFERENCES

- Al-Qur'an dan Translation, 1971. n.d. Al-Qur'an Dan Terjemahan. YP Tafsir. edited by Soenarjo. Jakarta: Pentafsir Al-Qur'an.
- Bustamam-Ahmad, Kamaruzzaman. 2002. Bustamam-Ahmad, Islam Historis: Dinamika Studi Islam Di Indonesia. Yogyakarta: Galang Press.
- Daulay, Haidar Putra. 2009. Dinamika Pendidikan Islam. Jakarta: PT Rineka Cipta.
- Dawam Raharjo. 1974. Pesantren Dan Pembaharuan. Jakarta: LP3ES.
- Hidayat, Komaruddin. 2016. Dari Pesantren Untuk Dunia. Cet ke 1. Jakarta: PT Kharisma Putra Utama.
- Hoeve, Van. 2000. "Ensiklopedi Islam."
- Ismail, Faisal. 1984. Percikan Pemikiran Islam. Yogyakarta: Bina Usaha.
- Law of Islamic Boarding School. 2019. Undang-Undang Nomor 18 Tahun 2019 Tentang Pesantren.
- Law of National Education System n.d. UU No 20 Tahun 2003 Tentang Sisdiknas.
- Majelis Permusyawaratan Rakyat Sekretariat Jendral. n.d. UUD 1945 Negara Republik Indonesia.
- Nugroho, Riant. 2009. Public Policy. Jakarta: IKAPI.
- Zamakhsyari Dhofier. 1995. Tradisi Pesantren, Studi Tentang Pandangan Hidup Kyai. Jakarta: LP3ES.