

Determine The Implications Of Presidential Regulation (Perpres) Number 82 Of 2021 Funding For Islamic Boarding Schools

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ABSTRACT

This research aims to the Government's concern for Islamic boarding schools. This concern was identified by Presidential Regulation (PERPRES) Number 82 of 2021, which concerns the funding of Islamic boarding schools, Islamic boarding school endowment funds, and the prospects for Islamic boarding schools following the stipulation of PERPRES No. 28 of 2021, as well as political aspects in the stipulation of the PERPRES. Considering that Islamic boarding schools are the oldest educational institutions in Indonesia, with their distinctive educational approach, they have also played a pivotal role in the Indonesian independence movement. They are an integral part of the Indonesian educational landscape, contributing to the production of high-quality educational outcomes. This paper draws upon a range of key literature on the subject, which has been selected, organized and categorized according to their suitability for the purposes of this study. The contents of the literature were subjected to a rigorous analysis in order to ensure their suitability as material for the completion of this paper. This explanation is characteristic of library research, which employs content analysis techniques. The findings of the research indicate that the primary functions of Islamic boarding schools are education, da'wah and community empowerment. The existence of political power to pass the Islamic Boarding School Law and the Islamic Boarding School Endowment Fund contained in PERPRES no. 28 of 2021 is a legal umbrella for Islamic boarding school institutions to receive funds from the APBN, APBD in the form of grants, as well as non-binding assistance from other parties. The implications of this government policy have a significant impact on Islamic boarding schools, which are tasked with improving the quality of education in these institutions. However, Islamic boarding schools must also navigate the challenges of maintaining their unique curriculum in the context of government regulations. The primary implications of the establishment of the PERPRES in question are the requirement to register Islamic boarding schools (legalizing Islamic boarding schools administratively) and changes to the curriculum used (the incorporation of non-religious knowledge).

Keywords: Islamic boarding school, Presidential Decree and Funding.

I. INTRODUCTION

On September 2, 2021, the President of the Republic of Indonesia enacted Presidential Regulation (Perpres) Number 82 of 2021. This presidential regulation is a derivative of Law Number 18 of 2019 concerning Islamic boarding schools. The most significant aspect of this regulation is the enhancement of the quality of Islamic boarding school education. This is

encapsulated in three principal areas: the sources of Islamic boarding school administration, Islamic boarding school endowment funds, and the monitoring and evaluation of Islamic boarding school education.

This implies the necessity of ensuring the sustainability of the development of Islamic boarding school education, which is financed by education funds (<http://id.National>). The issuance of this Presidential Decree serves as evidence that the government has extended support and attention to the existence of Islamic boarding schools and the activities conducted within them. The stipulation of the Presidential Decree in question also constitutes a form of official regulation. In consequence of this regulation, the government (at both the central and regional levels) is obliged to provide support for the continued existence of Islamic boarding schools by making budgetary allocations or funds available. This represents a new chapter in the history of Islamic boarding schools, as these educational institutions have received attention from the government.

The Minister of Religion has stated that the Presidential Decree in question was prepared by the Ministry of Religion. Other parties involved in the process include ministries and state institutions, as well as policy makers at Islamic boarding schools. The emergence of this Presidential Decree also addresses the assumption that religious education in Islamic boarding schools is a matter for the central government. Regional governments have also been involved in providing budgets for Islamic boarding schools. In this way, local governments also have the authority to determine improving the quality of education in Islamic boarding schools. This condition gives Islamic boarding schools the opportunity to advance religious education within them. The hope of making Islamic boarding schools a better educational institution is reflected certainly in the existence of this Presidential Decree.

In contrast, the stipulation of Presidential Decree Number 82 of 2021 also gave rise to a number of opinions. The aforementioned presidential decree is essentially derived from Law Number 18 of 2019, which was made by the government. The implications of this law are that Islamic boarding schools fulfill the same educational administration as state schools, such as following a quality assurance system by meeting curriculum, institutional, student and educator standards (Azzahra, 2020). Institutions and individuals who are under government authority will exert political influence. This assumption was confirmed by Pratama (2023:52) in one of his writings. It is said that the political power of leaders personally or institutionally influences the determination and implementation of the Presidential Decree in question. Apart from that, according to several Islamic boarding school figures, several articles in the Presidential Decree also implicitly have political content (Madrim, 2021). This situation can certainly have a positive and negative impact on the existence of Islamic boarding schools. In the end, this gave rise to optimism and pessimism among educational practitioners in Islamic boarding schools.

This concern could arise because it is indicated that there is involvement of political elements in it. Government intervention in its stipulation, whether institutionally or personally, also has a more or less influence on the content of the Presidential Decree. Whether we realize it or not, politics and government power have become part of the stipulation of this Presidential Decree. The political power possessed by the power holders in a region will clearly have its own impact. Thus, it is necessary to understand the influence of government politics on Islamic boarding schools and their stakeholders. This aims to provide a better understanding of the existence of political activities in the implementation of Presidential Decree Number 82 of 2023.

II. RESEARCH METHODOLOGY

To obtain the data needed in this paper, researchers searched for and read several related literature. Sources such as books, journal articles and final assignments are target literature for finding the necessary information. This method of collecting data is characteristic of qualitative descriptive research, with a library research approach. Some of the literature found was written documentation material. Therefore, documentation techniques to obtain the required data are the main method. Writings that are directly related to the researcher's study are used as the main source, while several discussions that are not directly related are used as supporting sources. The information found from several literacies was then used as data to then be selected and processed as study material for this paper. For this reason, analyzing the content or discussion in writing is also important to avoid data redundancy. The validity of the data found will be confirmed and compared with other data. In this way, the conclusions obtained will be in accordance with existing literature. Therefore, analysis of content is also needed to clarify the data obtained.

III. RESULT AND DISCUSSION

1. Description of the Content of Presidential Regulation Number 82 of 2021

As explained above, the existence of Presidential Decree Number 82 of 2021 is a follow-up product to Law Number 18 of 2019. In this context, the existence of this Presidential Decree can be said to complement and strengthen government regulations on Islamic boarding schools. Prior to the issuance of the Presidential Decree, the Ministry of Religion also issued Minister of Religion Regulation (PMA) Number 30 of 2020. This PMA contains the Registration of Islamic Boarding Schools as Legal Entities, registration requirements, Islamic boarding school statistical charters and permits for establishing branch Islamic boarding schools as well as regulating the implementation of Islamic boarding schools. Presidential Decree Number 82 of 2021 which explains funding for Islamic boarding school implementation, clearly strengthens existing regulations (Riyani, 2022).

Can be explained the description of the Presidential Decree in question. In general, the Presidential Decree consists of 5 chapters. Chapter I contains General Provisions and contains 3 articles, namely articles 1, 2, and 3. Article 1 contains the meaning of Islamic boarding school (paragraph 1), grants (paragraph 2), Islamic boarding school endowment funds (paragraph 3), central government (paragraph 4), regional government (paragraph 5), ministry (paragraph 6) and Minister (paragraph 7). Meanwhile, article 2 contains the principles and objectives of funding for Islamic boarding schools. For article 3, the part explained is the aim of funding for developing the educational, da'wah and empowerment functions of Islamic boarding schools.

Chapter II essentially discusses funding sources for organizing Islamic boarding schools. This chapter consists of 5 parts (part one to part five) and has 19 chapters (chapter 4 to chapter 22). The first part explains the funding sources for running Islamic boarding schools (community, central government, regional government, non-binding funds and Islamic boarding school endowment funds), which are included in article 4. Meanwhile, article 5 explains the forms of funding that can be provided (money, goods and/or services). The second part explains the funding sourced from the community (articles 6 and 7). The third and fourth sections explain funding that comes from the government, namely the central (article 8) and regional (9). The fifth section explains funding originating from other legal and non-binding sources such as domestic grants, foreign grants,

business entities, internal financing, corporate social responsibility funds and trust funds (article 10). Articles 11 to 22 explain each source of funds. Chapter III contains Islamic boarding school endowment funds. This chapter explains the use of endowment funds from the government (article 23) and the mechanism for their use (article 24). Chapter IV contains monitoring of the use of funds (article 25) and evaluation of the use of funds (article 26). Meanwhile, Chapter V is the closing part (article 27).

The explanation above clearly illustrates how the support regulations are implemented by the government. The issue of funds, sources of funds and the utilization system have been included in detail. Various rules have been included in relation to the discussion above. Of course, there are certain consequences that could arise as a result of implementing regulations in the form of a Presidential Decree. In this way, it is hoped that government support for Islamic boarding schools can improve the quality of education in Islamic boarding schools to the maximum.

2. Islamic Boarding School Endowment Fund

Endowment funds in the education sector are permanent funds. Specifically, these funds are used to ensure the continuity of educational programs for the next generation, and cannot be used for shopping. Meanwhile, Islamic boarding school endowment funds come from the State Revenue and Expenditure Budget (APBN). These funds are specifically used to improve the quality of education in Islamic boarding schools. This allocation is purely used for scholarships.

The existence of this endowment fund began with an investment by the Government in 2010 amounting to IDR 1 trillion and continues to be developed until now. Allocation of the education budget in the APBN as the National Education Development Fund/DPPN to BLU, in the form of an Education Fund Management Institution/LPDP as management. This institution handles funding for scholarships and research. LPDP is under the authority of the Ministry of Finance. This DPPN was the forerunner of the Endowment Fund in the Education sector, before other Endowment Funds emerged such as the Research Endowment Fund, the Culture Endowment Fund, and the Higher Education Endowment Fund. Furthermore, LPDP collaborates with Ministries/Technical Personnel, namely the Ministry of Education and Culture, Research and Technology, the Ministry of Religion and BRIN. (<https://anggaran.kemenkeu.go.id>). The management of this Endowment Fund is an enlightenment and opportunity for students to improve their standard of living, breaking the chain of poverty through education.

Prof. Dr. A'la explained that Islamic boarding school endowment funds are a mandate from Law no. 18 of 2019 concerning Islamic Boarding Schools which requires the state to establish an Islamic Boarding School Endowment Fund with an allocation of up to 20 percent from the Education Endowment Fund. This endowment fund is distributed through student scholarship applications (<https://www.nu.or.id/nasional>). Opportunities are open for students to apply for scholarships at undergraduate, postgraduate and doctoral levels, both at home and abroad. Dadang Supriatna further explained that the APBN had allocated a total of 250 billion for Islamic boarding schools. In 2024, the Islamic Boarding School Endowment Fund in the APBN will increase to 2 trillion, taken from the Education Endowment Fund of Rp. 15 trillion. (<https://nasional.tempo.co>).

2. Political Aspects of Presidential Decree Number 82 of 2021

a. Political Aspects of Power and Policy

Presidential Regulation Number 82 of 2021 is the result of decisions by several ministers, state institutions and several Islamic boarding school stakeholders. With the signing of the

Presidential Decree by President Joko Widodo, the Presidential Decree in question is considered valid. The President is the most recognized person to give this sign of approval. This is obtained as part of the prerogative of a President. This means that the regulation has received approval from a Head of State. The consequence is that all elements within the country must carry it out in accordance with applicable regulations.

Viewed from a power perspective, of course the Presidential Decree is part of politics. The government elements that are currently running the wheels of Indonesian government automatically also have their own powers. This power is utilized and applied by producing several products, and one of them is regulations. This product is part of that power. Of course, the product (in this article is Presidential Decree Number 82 of 2021) is part of this power. The President has given power to several elements of the State and government to help him carry out his duties. Of course, the power distributed is adjusted to the capacity of each individual. The appropriateness of the capacity in question is also in accordance with the proportionality composition of the President.

When determining the content of the regulations in question, of course there are also several policies that accompany them. This is part of the personal power of government elements. The policy in question must also be adapted to the needs and regulations implemented. That way, the policies that will be implemented will not cause problems in the future. This condition is of particular concern to decision makers, so that the resulting product can be implemented correctly.

As explained in the previous section, Presidential Decree Number 82 of 2021 is a product produced by the Ministry of Religion, State institutions and stakeholders from Islamic boarding schools. The existence of the Ministry of Religion and several state institutions clearly shows the power of the government. Meanwhile, several Islamic boarding school figures are people who can provide considerations for the Presidential Decree. Involving Islamic boarding school figures in this case is a form of policy carried out by the Ministry of Religion and government institutions, so that the Presidential Decree in question can be in accordance with the needs of Islamic boarding schools. The selected Islamic boarding school figures of course also have the capability and capacity as someone who can make and take decisions to be implemented by the Islamic boarding school.

The success of the emergence of the Islamic Boarding School Law and Islamic boarding school Endowment Fund cannot be separated from the large contribution of the PKB Party as the main initiator so that it can become a legal umbrella for funding to improve the quality of Islamic boarding schools. Dadang Supriana explained that PKB, as a party that was born by kyai, from the beginning was committed to showing support for Islamic boarding schools, towards Islamic boarding school students and also kyai, until then it succeeded in realizing the Islamic Boarding School Law and the Islamic Boarding School Endowment Fund (<https://nasional.tempo>). Considering that most Islamic boarding schools have minimal facilities and infrastructure due to independence in funding with financial sources from Islamic boarding school foundations, donations from donors and support from the parents of the students. So that the Islamic Boarding School Law and Islamic boarding school Endowment Fund are like an oasis, with recognition, legality and facilitation that can solve problems that have not been resolved by Islamic boarding schools so far. However, considering historically, government policies that pay attention to the interests of Islamic boarding schools continue to raise concerns among Islamic boarding schools, especially regarding the independence of Islamic boarding schools.

Makhdom stated that financial assistance from the government provides an opportunity to take hosts and conquer Islamic boarding schools by the interests of the authorities, especially those with an interest in practical politics. Moreover, the government, accompanied by a coalition party,

approached Islamic boarding school leaders to gain sympathy and the masses for the presidential and regional elections (<https://news.detik.com>).

b. Legal Political Aspects

The signing of Presidential Decree Number 20 of 2021, in fact, is also a regulation that has legal force. This legal force was obtained following the ratification of the Presidential Decree referred to by the President. In this context, it is clear that the Presidential Decree in question is also part of legal politics. Presidential regulations that are part of the government must be implemented in accordance with applicable regulations.

As part of a legal product, of course all laws and regulations have consequences. Violations or non-compliance with the implementation of the Presidential Decree can of course also become a problem and enter the realm of law. The laws applied are also adjusted to the legal powers imposed by the government in power. Of course, the strength of this power influences the law that is applied. This condition gives rise to politics in law.

Presidential Decree Number 82 of 2021 is also part of the legal product. The approval by the President clearly makes the Presidential Decree a regulation that must be implemented. Mistakes or misuse of these regulations can of course also constitute legal issues. The laws that will be imposed are also certainly some of the laws that have been in force at that time current government. This means that the legal products being implemented are part of the politics of the government in power at this time.

c. Political Aspects of Education

The politics of education are also contained in Presidential Decree Number 82 of 2021. An important related issue is the addition of the curriculum. With the existence of the Islamic Boarding School Law, articles 18 and 20 regulate that the mudalam education curriculum consists of the Islamic boarding school curriculum and the general education curriculum, the formal diniyah curriculum consists of the Islamic boarding school curriculum and the general curriculum.

Salaf Islamic boarding schools that teach the classical yellow book are still maintained by several Islamic boarding schools spread across the archipelago, and most of them are in Java. Of course, there are difficulties in integrating with the general curriculum so that they do not participate in the government program (Riyani, 2021). This integration of the general curriculum will erode the uniqueness of Islamic boarding schools which is a special attraction for students and parents who entrust their children to Islamic boarding schools. So that several Salafiyah Islamic boarding schools continue to survive with their existence and uniqueness.

d. Identity Politics

Presidential Decree Number 82 of 2021 is clearly a product of the current government in power. These regulations clearly or indirectly indicate the existence of the current government. With this Presidential Decree, the public at least gets the idea that the current government has good attention to Islamic boarding schools. This attention was even passed into a regulation. This is certainly an achievement in itself for the current government. The existence of the Presidential Decree has become part of the history of Islamic boarding school development. The successful implementation and implementation of this Presidential Decree will certainly provide a positive identity for the current government in the future.

4. Implications of Presidential Decree Number 28 of 2021 for Islamic boarding school management.

a. The obligation for Islamic boarding schools to register as a legal entity

Minister of Religion Regulation number 13 of 2018 contains the obligation to register as a legal entity for bodies, institutions and organizations in receiving government funds. Then this was reinforced in Law no. 18 of 2019 article 6 paragraph 2d which contains the registration of Islamic boarding schools to the minister. It is clarified again in PMA No. 30 of 2020 articles 5,6,7,8&9. Meanwhile, the terms and conditions for registration of Islamic boarding school educational institutions are contained in Law no. 18 of 2019 in articles 6, 2a, b and c (Riyani, 2022). The establishment of Islamic boarding schools has permission from the minister, the Ministry of Religion through its subordinate departments issues permits for the establishment and operation of Islamic boarding schools. Legal registration of Islamic boarding schools by fulfilling the applicable terms and conditions of course should be carried out, to strengthen the position of the Islamic boarding school itself, its institutional legality is recognized.

b. Curriculum Changes

The Islamic boarding school law also contains implementation of a quality assurance system for Islamic boarding schools, relating to teaching standards, management and curriculum, for all types of Islamic boarding schools. Most community organizations that manage Islamic boarding schools object to regulatory intervention from the government, considering that the curriculum is different for each Islamic boarding school. Muhammadiyah and NU voiced the same concerns that this intervention would ignore the uniqueness and independence of Islamic boarding schools. To find a middle way, the Masyayikh body was formed, as a quality assurance body for Islamic boarding schools.

The new Masyayikh Council will be given the authority to develop the Islamic boarding school curriculum framework, create quality criteria for Islamic boarding schools and their graduates, determine competency standards for teachers and other instructors, carry out assessments and evaluations in accordance with the quality assurance system, validate the validity of Islamic boarding school graduation certificates issued by Islamic boarding schools, and also provide advice to the Masyayikh Council in determining the Islamic boarding school curriculum (Azzahra, 2020).

V. CONCLUSION

Presidential Regulation Number 82 of 2021 has clearly shown evidence of the government's concern, as well as its own achievements. The existence of this Presidential Decree at least guarantees that education is carried out in Islamic boarding schools, as well as the existence of Islamic boarding schools in Indonesia. The attention given by the government (both central and regional) has supported the existence of Islamic boarding schools. Therefore, the existence of Islamic boarding schools is no longer questioned as part of education.

On the other hand, regulations that require Islamic boarding schools to register with the ministry are a problem in themselves. Islamic boarding schools that experience problems in registering or do not register will of course not receive funds in accordance with the provisions of the Presidential Decree. This condition could result in an Islamic boarding school being unable to improve the quality of its education, even to the point where it disappears.

Another condition that also needs to be of concern to the government is the occurrence of misuse by related parties. At one time, the disbursement and distribution of funds to Islamic boarding schools has opened up opportunities for irresponsible people to misuse and misappropriate

funds. This will of course be a big problem and a bad record for the government. This situation requires monitoring and evaluation of the program, so that actions that violate the law can be minimized.

, as a society that cares about education, we deserve to always make this Presidential Decree a success. The success of implementing this Presidential Decree will certainly have an impact on the progress and quality of an Islamic boarding school. The education provided in Islamic boarding schools will be exploited well and optimally, so that it will produce good and high-quality graduates. The results of good education will give rise to good people, so that Indonesian society will also get good impacts. In this way, the goals and aspirations of the Indonesian people will be achieved.

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