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A Struggle to the Rights of Getting Islamic Religious Education at State Elementary Schools in North Minahasa

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ABSTRACT

¹¹ This article examines the implementation of the National Education System Law Number 20 of 2003 concerning the Right to Get Islamic Religious Education in State Elementary Schools in North Minahasa. The main problem is to know the standardization for implementing Islamic religious education services at two elementary schools (SDN Suwaan and SD Inpres Kawangkoan) and to find out the realization of the right to receive Islamic religious education mainly in Kalawat District, North Minahasa Regency. This research is field research, using descriptive qualitative research methods with data collection techniques, namely observation, interviews, and documentation. The findings of this study indicate that the standardization of implementing Islamic religious education services at those two schools is to pay attention to the presence or number of Muslim students, namely with a minimum ratio of 15 students in one class or in one school as stated in the Regulations. Therefore, realizing the right to obtain Islamic religious education based on the National Education System Law no. 20 of 2003 at these schools could be realized it should be. This is because students have not received religious education taught by educators of the same religion because of the unavailability of Islamic religious educators so the law has not been implemented properly.

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1. INTRODUCTION

Education is one of the efforts that is believed to be able to express human ideals and dreams (Meltzer, 2018). It takes part in educating the nation's life and improving the quality of human resources to achieve the ideals of the Indonesian nation and realize general welfare as stated in the 1945 Constitution in the fourth paragraph. Moreover, education recently has a more tangible and strategic basis with the emergence and ratification of the National Education System Law No. 20 of 2003. However, the existence

of this law does not mean that problems related to education can be solved easily. We still need to work hard in various education sectors to function properly in national education to achieve the objectives set out in the Act.

In national education, it is clear that the role of religious values is important in every educational process that occurs in educational institutions for students to acquire spiritual attitudes, have good character, have noble character, and can be faithful and pious (Holley, 2016). This is because humans who reflect good moral and attitudes in themselves cannot be formed without the role of religion (Niculescu & Norel, 2013). In the Indonesian context, the learning process of Islamic education is applied systematically in order to grow the potential of students based on Islamic religious principles (Anwar, 2016). The purpose of Islamic education is to achieve a balanced overall human growth, which can be done with mental training, reasoning, intelligence, feelings and the five senses it has (Jannah, 2013). Islamic education and national education are interconnected so that they cannot be separated because Islamic education is part of national education based on Pancasila and the 1945 Constitution which in this case is rooted in religious values so that the potential of students can be developed so that they become pious and faithful human beings, and being a good citizen is also responsible.

In the practical field, based on the National Education System Law Number 20 of 2003, the position of Islamic religious education itself includes several articles. One of them is in Article 12, paragraph 1 (a) regarding students, namely: "Every student in every education unit has the right to receive religious education in accordance with the religion he adheres to and teaches by educators of the same religion" (UU RI). Considering that, religious education is now required to be held as stated in PP Number 55 of 2007 concerning religious education and religious education article 3 paragraph 1 which reads: "Every education unit at all lines, levels, and types of education is obliged to provide religious education" (PP Number 55 of 2007 concerning Religious Education and Religious Education). Therefore, of course, in the learning process of religious education, in this case, Islamic religious education must be taught by educators who share the same religion as students so that their rights can be fulfilled.

Based on the two articles above, to facilitate students in getting religious education relevant to their religion, it is necessary to pay attention to the local government tailored to each school's needs. As stated in the National Education System Law Number 20 of 2003 in article 41 paragraph 3 regarding educators and education personnel, namely: "The government and local governments are obliged to facilitate educational units with educators and education personnel needed to ensure the implementation of quality education" (Law RI No. 20 of 2003 concerning SISDIKNAS). Furthermore, in PP number 55 of 2007 article 6, paragraph 1 concerning religious education which reads: "Religious education educators in educational units organized by the government or local governments are provided by the government or local governments according to their respective authorities based on provisions of laws and regulations" (PP Number 55 of 2007 concerning Religious Education and Religious Education). The provision of this facility is of course, aimed at avoiding areas where there are no educators or even excess educators and education personnel, in addition to improving the quality of education units.

However, the reality on the ground shows that the implementation of the National Education System Law Number 20 of 2003 concerning the rights of students is different from the rules that have been made by the government. As in the research journal entitled "Repositioning of Islamic Religious Education Teachers in Manado City Elementary Schools" by Nahu et al. (2019), there are still public elementary schools that have vacancies or do not have Islamic religious teachers, so there is a repositioning of Islamic religious teachers by taking schedules to teach at other schools that do not have Islamic teachers for additional teaching hours. In addition, repositioning occurs because there is a form of initiation from other Islamic religious teachers to fill the position of teachers whose educational status is not a teacher of Islam and also not a teacher who is Muslim. Similar problems are also seen in elementary schools in North Minahasa Regency, North Sulawesi Province, North Minahasa Regency has 192 elementary schools, 108 are public schools, and 84 are private schools. All the elementary schools are located in 10 sub-districts. Based on these data, public elementary schools are the focus of this research as the results of observations on public elementary schools in one of the sub-districts in North Minahasa Regency, namely Kalawat

District which has 11 public elementary schools, and which two of them were used as references as data of this research.

Both schools have students who are Muslim. However, in the process of learning religious education, students follow the teachings of other religions, in this case, Christian religious education taught by Christian religious educators. Based on information from each religious educator, the two schools do not have Islamic religious educators, although there are students who are Muslim for this academic year with a total of 11 students at the Suwaan State Elementary School, while for the Kawangkoan Inpres Elementary School with a total of 15 students. students but 4 people have moved so that the remaining 5 students. This problem is certainly not in line with the fulfillment of the rights of students as written in the National Education System Law Number 20 of 2003, namely in article 12 paragraph 1 (a). Whereas, in teaching religious education in this case, Islamic religious education, an educator who is of the same religion plays an important role because he has duties and responsibilities in determining the direction of the education and the success or failure of the education (Zuhaeriyah & Yusra, 2020). Because, religious education in schools taught by educators is not just teaching about religious education or practice in worship but covers a wider range.

Seeing from the description above, it is clear that it is important to have an educator who is of the same religion as the students in each educational unit to achieve a goal of Islamic religious education. If allowed to continue, there will be a vacancy in the position of an educator who is of the same religion for the fulfillment of the rights of students as in the National Education System Law Number 20 of 2003 article 12 paragraph 1 (a). It will affect the knowledge and personality of a Muslim for students. Therefore, the basics of religious education need to be instilled from the elementary school level, because if it is not given at a young age, students will experience difficulties when they are adults or to the next school level. Based on the explanation of the background above, the authors formulate several problems, namely:

- a. How is the standardization for implementing Islamic religious education services at SDN Suwaan and SD Inpres Kawangkoan in Sub-district of Kalawat, North Minahasa Regency?
- b. How is the realization of the right to receive Islamic religious education based on the SISDIKNAS Law Number 20 of 2003 at SDN Suwaan and SD Inpres Kawangkoan in Kalawat District North Minahasa Regency?

2. METHODS

This research was conducted at SDN Suwaan and SD Inpres Kawangkoan. The time spent was conducted in a period of two months, starting from June to July 2021. The sources of this study consisted of two data sources, namely primary and secondary data. The primary data source of this research collects information that is immediately completed through interviews with parties related to the researcher's questions. The subjects of this study consisted of the principal, Christian religious education educators, students, parents, the Ministry of Religion in this case the PAI educator supervisor and the education office in this case the head of the service. Meanwhile, the secondary data sources come from library materials such as books, journals, the National Education System Law Number 20 of 2003, documents, archives and others. The techniques used as data collection techniques in this study are by using observation, interviews, and documentation.

In this study, researchers used the type of field research. Field research can be defined as a broad approach to qualitative research or as a method for collecting qualitative data. The important idea is that researchers go to the field to make observations about a phenomenon in a natural state (Moleong, 2016). The researcher collects the necessary data through findings in the field related to the problem that the researcher discusses. Researchers made direct observations in the field related to the implementation of the National Education System Law no. 20 of 2003 article 12 paragraph 1 (a) on these two public schools, later, the researcher will explain whether the two public schools have realized this law or not. The approach in this research is a qualitative research approach. This approach seeks to explain the symptoms thoroughly according to the context through data collection activities from the experienced setting. Therefore, the researcher chose this approach based on the research objective who wanted to get an

overview of the implementation of the National Education System Law No. 20 of 2003 Article 12 paragraph 1 (a) regarding the fulfilment of the right to religious education taught by educators of the same religion at SDN Suwaan and SD Inpres Kawangkoan. The data analysis used is Miles & Huberman's (1994) model, namely by using data reduction (data reduction), data display (data presentation) and conclusion drawing/verification (verification).

3. FINDINGS AND DISCUSSION

Based on the research that has been carried out, the researcher described the data that has been obtained regarding standardization for carrying out religious education services and the realization of the National Education System Law No. 20 of 2003 article 12 paragraph 1 (a) concerning the right of students to receive religious education taught by educators who share the same religion in the two research objects, namely SDN Suwaan and SD Inpres Kawangkoan. From the results of interviews with the Head of the North Minahasa Education Office, the Supervisor of PAI Educators at the Ministry of Religion of North Minahasa, the Principal of SDN Suwaan and SD Inpres Kawangkoan, Christian Educators at SDN Suwaan and SD Inpres Kawangkoan, Students and Parents, the following results are obtained:

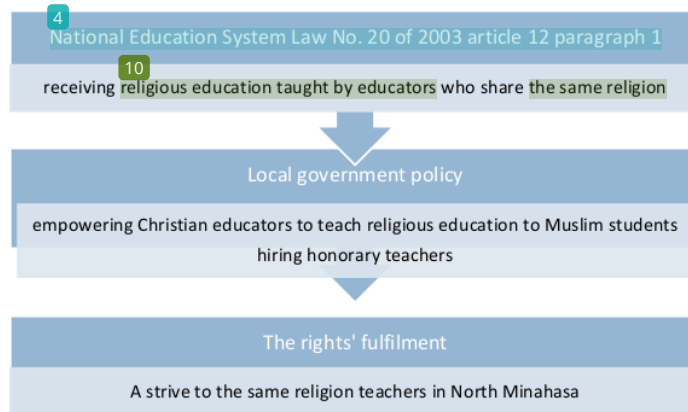


Figure 1. The condition of the implementation of Islamic religious education in North Minahasa

3.1. Standardization for implementing Islamic religious education services at SDN Suwaan and SD Inpres Kawangkoan

Schools are educational institutions that are public based because many parties are involved in it. School as an educational service serves as a place to carry out the mission of education. Thus, schools are required to provide equal education services for every member of their school. This includes providing religious education services in accordance with the religion of the students (Ikhwan et al., 2020). However, there are still public schools that have not provided religious education services that are in accordance with the religion of students, in this case for students who are Muslim. Both SDN Suwaan and SD Inpres Kawangkoan viewed the standard in terms of the number of students to provide Islamic religious educators. There are 11 Muslim students at SDN Suwaan and 11 people at Inpres Kawangkoan Elementary School. Currently, due to the small number of Muslim students, the school is reconsidering providing Islamic religious educators with honorary status. The principals of SDN Suwaan and SD Inpres Kawangkoan are just waiting for a policy from the education office.

- Principal 1 : "There are no Islamic religious teachers in our school, but there are 11 Muslim students. So, we are now hiring honorary teacher to give them Islamic education."
- Principal 2 : "We have reported the situation of the absence of the Islamic religious teachers to the local office of the regency, but there is no response yet from the Central. So temporarily, we hire honorary teacher."

Meanwhile, the head of the district education office of North Minahasa only had data related to the needs of educators in each school as the report of the principal. This is submitted to the BKPP (Education and Training Personnel Agency) which is then continued by MENPAN (Ministry of State Apparatus Empowerment) which determines the quota for the appointment of religious educators, either civil servants (PNS) or contract officers (PPPK). The determination of the quota is based on the consideration of schools that are more in need in this case related to the Minister of Religion Regulation No. 16 of 2010 which regulates the management of religious education in schools, namely Article 4 related to religious education which must be given in terms of the number of students 15 people in one class or 15 people in one school. So that, it depends on what the central government considers, in this case the BKPP, for the procurement of school quotas that will have formations in the selection of PNS and PPPK for religious educators.

Some schools that must be filled with religious educators currently do not receive the quota and this causes a vacancy for religious educators in certain schools. The head of the education office and PAI educator supervisor of North Minahasa regency provides a policy toward schools that have no Islamic religious educators in several public schools by directing educators who have been certified but have a shortage of teaching hours to increase teaching hours in schools where there are no Islamic religious educators. In addition, based on the interview result, if the school has a homeroom teacher who is Muslim, then he/she can teach Islamic religious education.

- Head of Education Office : "We can't do much. The decision is in the Centre. We followed up the request from the schools, but the rest depends on the government. As an alternative solution, we encouraged the Muslim homeroom teachers who needed to extend their teaching hours to teach Islamic religious education."

Getting religious education that is in accordance with the religion of students is a right for every student as stated in the SISDIKNAS Law No. 20 of 2003, namely article 12 paragraph 1 (a) so that students should learn Islamic religious education subjects that should be in school (Ajmain et al., 2019). If getting religious education depends on the number of students, it does not reflect the rights of students as stated in the law. If the school has not been able to provide Islamic religious educators, it is hoped that the school can cooperate with other schools or religious institutions in the surrounding area so that the rights of students to receive religious education of the same religion as students can be fulfilled, as stated in Minister of Religion Regulation No. 16 of 2010.

Previously, the results of research on standardization for implementing Islamic religious education services at SDN Suwaan and SD Inpres Kawangkoan have been described, as stated in the National Education System Law Number 20 of 2003 in article 12 paragraph 1 (a) every student is required to receive religious education which is also taught by educators who are religious. Constitutionally, the rights of students in religious education in schools have been enshrined in the law (Daheri, 2022). However, in reality, the law has not been implemented optimally (Dudin et al., 2019). The Suwaan Elementary School and the Kawangkoan Inpres Elementary School have never provided Islamic religious education services to students taught by educators of the same religion, from the beginning of the school's establishment until now although they have students who are Muslim but there are no Islamic religious educators. Therefore, students who are Muslim get Christian religious education lessons. The main thing that becomes the standard for implementing Islamic religious

education services is the number of students, as it is known that there are 11 Muslim students at SDN Suwaan for the 2020/2021 academic year, and 11 people for Inpres Kawangkoan Elementary School.

The number of students is minimal due to minorities, making the school as an education provider unable to appoint Islamic religious educators with honorary status to meet the availability of Islamic religious educators due to school limitations in terms of finances. Thus, schools only depend on the local government in this case the Education Office and the Ministry of Religion in North Minahasa Regency in the procurement of educators with the status of civil servants or contract officers.

Student 1 : "Yes. Muslim. My religious education teacher is Christian. I have learned Christian religious education."

Parent 1 : "If possible, we want our children get Islamic religious education at school. If not possible, nothing we can do."

Should the implementation of education for the fulfillment of the rights of students in this case Islamic religious education, do not first look at it in terms of quantity so as not to seem like discrimination occurs against students (Susilawati et al., 2022). All students have the same rights, especially at the elementary school level. Students must get religious education according to their respective religions. If they follow religious education from the majority of certain religions, of course it will cause students difficulties in understanding religious beliefs which they have to adhere to, and practice the teachings of his religion which should also be obtained at school (Latief et al., 2021). So, if it is like this, students cannot achieve the goals of Islamic religious education. If the school as an education provider feels burdened in terms of financing to appoint honorary educators in filling the vacancy of Islamic religious educators in schools, then the school can cooperate with other educational units or cooperate with religious institutions in the area around the school as stipulated in the regulations of the Minister of Religion Number 16 of 2010.

The existence of school leaders certainly plays an important role in improving the quality of education and the progress of the schools they lead (Fauzi, 2016). Leadership, initiative, and awareness factors from school leaders are the main things in the implementation of religious education services that are in accordance with the religion of students. Even though there is a form of attention and concern from the principal to provide the best educational services, especially religious education that is evenly distributed to all students, it will certainly have a positive impact on the progress of the school. By filling the vacancy of Islamic religious educators in schools, the formation of educators will be complete and it will increase the interest of parents in sending students to schools where the teaching staff is more complete than incomplete (Baker & Reyes, 2020). Thus, the challenges and obstacles for the implementation of religious education services in accordance with the religion of students are in the awareness, understanding, and financial ability to raise and meet the availability of Islamic religious educators in schools.

3.2. Realization of the right to obtain Islamic religious education at SDN Suwaan and SD Inpres Kawangkoan

The National Education System Law Number 20 the Year 2003 article 12 paragraph 1 (a) concerning students who are entitled to religious education and taught by educators of the same religion, is a form of government attention in terms of religious education. To ensure the implementation of quality education, the government is obliged to facilitate education units with educators and education personnel in accordance with the needs of the education unit (Miedema, 2019). For the realization of the National Education System Law Number 20 of 2003 article 12 paragraph 1 (a), within the scope of education in North Minahasa Regency it has been running because it is contained in the curriculum. However, for the North Minahasa region, Islam is a minority so that Article 12 paragraph 1 (a) in the Law is not fully implemented. Because there are still schools that do not have

PAI educators, there are some students who do not get Islamic religious education. One of the factors is the lack of Islamic religious educators.

For SDN Suwaan and SD Inpres Kawangkoan, Muslim students take Christian education lessons because there are no Islamic religious educators. SDN Suwaan has two patterns of implementing religious learning for Muslim students, namely for students whose parents do not mind, the students are allowed to join the study together in class during Christian religious education subjects, but for students whose parents object to it, they continue to study Islamic religious education but independently by separating themselves to other rooms such as the library, and the teacher's room. This happened to the high-class students, namely grades 4,5,6, while for the low class, all of them continued to join in learning together. For the Inpres Kawangkoan Elementary School, all Muslim students continue to study Christian religious education but are not forced by the school principal or Christian educators.

Students at SDN Suwaan and SD Inpres Kawangkoan find it difficult to learn Christian religious education. Parents of students are worried about the impact of Christian religious lessons, but to prevent this, parents involve students in adding insight and religious knowledge at the Quranic education center (TPQ) every afternoon. After conducting interviews with informants during the search, the researchers found that in the scope of education in North Minahasa, the realization of the National Education System Law Number 20 of 2003 Article 12 paragraph 1 (a) has been running.

Parent 2 : *"Sometimes, we feel worried because our children do not get lessons how to be a Muslim."*

Parent 3 : *"I let my son join the Christian religious education, but I send him to TPQ at the afternoon. So, it will be balanced."*

Religious education is indeed contained in the curriculum as a subject that must be given. However, there are still some public schools that have not been able to implement the Law because the availability of Islamic religious educators is still lacking (Tauber, 2015). The shortage of Islamic religious educators is one of the problems in Islamic religious education in schools (Sweetman, 2021). This has resulted in some schools not having Islamic religious educators and there are also Muslim educators who continue to teach to fill the void of Islamic religious educators in schools but are not in accordance with their educational background.

The factor of the lack of availability of Islamic religious educators is a concern of the education office. Thus, the Head of the Education Office provides 2 solutions. The first solution is to direct educators who are civil servants and certified who still lack teaching hours to take hours in other schools where there are no Islamic religious educators. There are limited Islamic religious educators, so it is rare to find educators with civil servant status who have a shortage of teaching hours. Second, if there is a homeroom teacher in the school who is Muslim, then he can teach even though it is not his educational background. This is certainly good but not ideal to be applied continuously. However, in the two schools where the researchers conducted research, none of the educators and school leaders was Muslim.

The same solution was also explained by the PAI Educator Supervisor of the Ministry of Religion of North Minahasa regarding certified Islamic religious educators and the lack of hours to be able to take hours at other schools where there are no Islamic religious educators. Second, schools can cooperate with the TPA in their respective areas. The unavailability of Islamic religious educators has resulted in Muslim students at SDN Suwaan and SD Inpres Kawangkoan participating in the learning process of Christian religious education in schools. Learning religious education like this is certainly not good even though there is no coercion from the school or Christian religious educators for all students to study Christian religious education. However, this statement is not forced in contrast to the difficulties experienced by students while learning. There are students who are asked to open and read the Bible, then do assignments related to the verses in the Bible and even memorize them. This is a

special difficulty experienced by students who are Muslim, because they are not familiar with the holy book of the Christian religion.

Meanwhile, this elementary school age period is a time of forming religious values (Fatonah et al., 2022). The religious quality of children will be greatly influenced by the process of formation or education they receive. As stated by parents who feel the influence of the religious education that their children receive is not in accordance with the religion of the students. There are students both at SDN Suwaan and SD Inpres Kawangkoan who show a change in their attitude to prayer, and students have memorized prayers and hymns from Christianity. In this regard, the availability of religious educators in accordance with the religion of students in elementary schools is very important. Thus, this must be the concern of the school to be more proactive in seeking the presence of Islamic religious educators to be able to teach students who are Muslim. If the school continues to allow a vacancy of Islamic religious educators without good efforts to coordinate with the Education Office and the Ministry of Religion, this will certainly be a violation because it does not follow the rule regulated in the SISDIKNAS Law Number 20 of 2003. The lack of attention from school principals in fulfilling the rights of students to get appropriate religious education in schools is very concerning, even giving the impression of acts of discrimination. The school should focus more on religious education in schools than outside the school environment. If students only depend on religious education outside the school environment, it is not sufficient to cover the subject matter Islamic religious education. Meanwhile, the scope of the curriculum is very broad, covering the Qur'an, Hadith, Aqeedah, Fiqh, Morals, and Islamic Cultural History.

5. CONCLUSION

From the results of discussion described above, it can be concluded that standardization implementing Islamic religious education services at SDN Suwaan and SD Inpres Kawangkoan is by paying attention to the presence or number of students who are Muslim, namely with a minimum ratio of 15 students in one class or in one school as stipulated in the regulation of the Minister of Religion Number 16 Year 2010 as a reference for the recruitment of educators through the placement of PNS or PPPK teachers from the Education Office and the Ministry of Religion. Basically, religious education in schools is mandatory because it is stated in the curriculum. There are main factors that support the implementation of Islamic religious education services according to the religion of students by educators who share the same religion as students, namely leadership, initiative, and awareness factors from school leaders. In addition, the role of the central government and local governments also plays an important role as in the mandate of the National Education System Law Number 20 of 2003 concerning the rights and obligations of the government and regional governments, article 11 paragraph 1, it is stated that the government and local governments are obliged to provide services and facilities, as well as ensure the implementation of education that is quality for every citizen without discrimination. This study has not covered the whole cases in North Minahasa because only two schools were involved. Future studies are invited to include more schools to depict wider representation.

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