

## **PESANTREN ON THE FRAME OF GOVERNMENT POLICIES**

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### **Abstract:**

This article describes government policies toward *pesantren* which has been existing from the early Independence of Indonesia period to present times, and its implications on the progresses of *pesantren*. This study uses library research on related documents of government policies and the result shows that the government policies tend to indicate to be a positive development. In the beginning of Old and New Orders, government policies were simply in form of unofficial claim above the role of *pesantren* in accelerating the nation intelligence. Since the release of decree of Education Act 2/1989 *pesantren* has been approved and legitimated as the subsystem of national education, though, *pesantren* keeps and maintains its characterisitc. As Education Act 20/2003 legitimated and followed by relating policies –especilally Government Regulation 55/1997, Regulation of Ministry of Religious Affairs 13/2014, and Regulation of Ministry of Religious Affairs 18/2014 – *pesantren* has been totally awarded as part of national educational system, in turn, such of the institution has more freedom in portraying Islamic values by enhancing its characteristic as the institution focusing on *tafaqquh fî al-dîn* (an attempt to a totally Islamic understandings) and developing the other competences based on the characteristic of each *pesantren*.

### **Abstrak:**

Artikel ini mendeskripsikan kebijakan pemerintah terhadap pesantren mulai awal kemerdekaan hingga kini, dan implikasi kebijakan pemerintah terhadap perkembangan pesantren. Melalui telaah pustaka terhadap dokumen-dokumen kebijakan terkait, diketahui bahwa kebijakan pemerintah tersebut terhadap pesantren semakin menunjukkan perkembangan positif. Di awal Orde Lama dan awal Orde Baru, kebijakan terhadap pesantren lebih bersifat pengakuan terhadap perannya dalam mencerdaskan bangsa. Sejak keluarnya UU No. 2/1989, pesantren mulai diakui sebagai subsistem pendidikan nasional, meskipun pada jalur luar sekolah dan dilindungi kekhasannya. Setelah UU No. 20/2003 disahkan dan diikuti oleh kebijakan-kebijakan terkait – khususnya PP No. 55/1997, PMA No. 13/2014, dan PMA No. 18/2014 – pesantren semakin mantap

menjadi bagian dari sistem pendidikan nasional, sehingga lembaga ini lebih leluasa mewujudkan fungsi tradisionalnya sebagai lembaga *tafaqquh fi al-dîn* dan mengembangkan kompetensi lain sesuai kekhasan masing-masing pesantren.

**Key Words:**

government policy, *pesantren*, *mu'âdalah*, *salafiyah*, *mu'allimîn*, *tafaqquh fi al-dîn*

## Introduction

*Pesantren* is an Islamic educational institution of society based, established, and developed by the public support. Philosophically, the emergence of *pesantren* is rather same as the philosophy of how a market exists as a place of having transaction of both seller and buyer in the crowded of societies. Both buyer and seller may not arbitrarily take a place for granted. Only the interaction of both creates the place, it is then called market.<sup>1</sup> On the same way *pesantren*, grows up and develops in the societies as a result of "dialogue" among them.

Chronologically, the establish of *pesantren* was marked with the presence of *kiai* (Islamic venerated scholar) to a place which socio-religious was precise place for Islamic expansion effort. The *Kiai*, then phase by phase, had interacted and learnt the condition of societies' interaction, then conveyed the Islamic values by making a prayer-house (*surau*) as a centre of having worship, education, and *umat* (public) service. Almost all of societies' problems were served well; they concerned on Islamic religious, medical treatment, economy, marriage, the building of house, and also the matters dealing with the nation. Those, according to Muarif Ambary, show that *pesantren*

historically used to choose an unneutral role and passive, but productive.<sup>2</sup>

In turn of chance, the presence of the *kiai* with many Islamic activities used to be conducted by and widely expanded the Islamic values made many people want to learn, ask, and get an enlightenment. Even some of societies wanted to be always with the *Kiai* in order to get *berkah* or *ngalap berkah* (an extraordinary belief that everything has more benefit than its entirely benefit. This requires a total faith to God) every time. Hence, the prayer-house then could not accommodate the societies any more. And finally, as the result of societies' initiative, boarding house (*pondok*) were built around the *kiai*'s house as the places for the *santris* (Islamic students). Therefore, by the existence of the boarding house, which were then called *pondok pesantren* (Islamic boarding house), the elements of *pesantren* were complete; the *Kiai* himself was as head of master and owner, the *santri* was as person who learns, the boarding house was as place for students to learn, classic books became guide book, and the prayer-house, which was well-known as

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<sup>2</sup> Hasan Muarif Ambary, *Menemukan Peradaban; Jejak Arkeologis dan Historis Islam Indonesia* (Jakarta: Logos, 1998), p. 318.

<sup>1</sup> Sahal Mahfudh, *Nuansa Fiqh Sosial* (Yogyakarta: LKiS, 2012), p. 362.

*langgar/mushalla/masjid*, was the centre of worship and education.<sup>3</sup>

As the time went fast, *pesantren* which has been known well by the societies widely developed and expansive; it was formerly located in a village then expanded to a town; it was formerly homogeneous (which conducted simply and traditionally) to heterogeneous (mainly after the existence of modernity elements in managing *pesantren*),<sup>4</sup> and also the quantity of the *santris* which was formerly restricted in few quantity then increased to a few, large, and wide quantities for about thousands *santris*.<sup>5</sup> Then, through the educational process which had characteristic and independence many students spread-out everywhere.

The process of *pesantren* emergence which tended to be classified in term of

<sup>3</sup> Zamakhsyari Dhofir, *Tradisi Pesantren: Studi tentang Pandangan Hidup Kyai dan Visinya mengenai Masa Depan Indonesia* (Jakarta: LP3ES, 1994), pp. 44-55.

<sup>4</sup> In the beginning of its presence in the earth of Nusantara, the type of *pesantren* were relatively similar, it had been the institution of religious education that was simply and traditionally managed and supported by the elements of *Kiai* (Islamic scholar), *santri* (Islamic pupils), *pondok* (boarding house), classics books, and mosque. Today, through the modernization of *pesantren*, the institution is not homogenous any longer. The *pesantren* management has developed in such a way, it is not single but various and depends on how the owner adopts the modernity elements into *pesantren*.

<sup>5</sup> Data of Religious Affair Ministry shows that in 1977, there were 4.195 *pesantrens* (677.384 *santris*), in 1981 grew to be 5.661 *pesantrens* (938.397 *santris*), in 1985 became 6.239 *pesantrens* (1.084.801 *santris*), in 1997 turned into 9.388 *pesantrens* (1.770.768 *santris*), in 2001 became 11.312 *pesantrens* (2.7737.805 *santris*), and in 2012 became 27.230 *pesantrens* (3.004.807 *santris*).

*bottom up* theory was different from the formal institution just like a school which the emergence tended to be classified in term of *top down* theory; on the initiative and entire support of government. If the government wanted to build a school, the government would directly determine a location, manage building, complete facilities, provide teachers, define curriculum, and then open recruitment. The educational process then occurred. Moreover, mission of the school must be relevant and appropriate to initiator, government.

Then, how is *pesantren*? Is the educational orientation, which is then acquainted as vision, developed by an Islamic institution appropriate to what the government does? Factually, as the institution which the growth lays on the basis of *bottom up* theory and even originally emerges from the truly tradition adopted by societies of the Indonesian Archipelago (*indigenous*),<sup>6</sup> mission of *pesantren* must be in line with the mission of government. This assumption, then, can be proved by reanalyzing historical nation. *Pesantren* itself has proven its existence as the institution which has multi-function; as the centre of Islamic values expansion and nation's defense.<sup>7</sup> In addition, *pesantren* also supports nation's efforts in attempt to reach its independence -or even it has great contribution historically- by against with colonizers. That's why; *pesantren* then creates and launches a terminology, in term of instruction, which relates to nation (father land); '*hubb al-wathan min al-îmân*'

<sup>6</sup> Nurcholish Madjid, *Bilik-bilik Pesantren; Sebuah Potret Perjalanan* (Jakarta: Paramadina, 1997), p. 3.

<sup>7</sup> AM. Fatwa "The Future of Pesantren", in *Harian Republika* (Saturday, May 26, 2007)

(struggling for nation -father land- is one of proofs of faith) and having '*jihad*' in against the colonizers which nowdays comes up with overwhelmingly enthusiasm to all elements of the Indonesian.<sup>8</sup>

In spite of the mission of *pesantren* which may not probably be in the opposite of the mission of the government, however, the government needs to ensure by formulating some regulations which leads the government to control, manage, and guide *pesantren* as what and how the government wishes. In the framework of educational politic, the educational government intervention can be just stated as the government effort in ensuring civil societies that they are in line with the government expectation.<sup>9</sup> Even, a strict control on that case in form of ascertaining is applied by many countries, whether the strict control itself runs with the government authority or is conducted by societies.<sup>10</sup>

The orientation of this article is to analyze how the policy of government directs *pesantren* as the Islamic education institution since the early period of

<sup>8</sup> The term of '*Resolusi Jihad*' (Holy-War Resolution), was a popular term of an instruction released by *Hadratus Syaikh Hasyim Asy'ari* in October 22, 1946 to fight against the colonial. This *fatwâ* (instruction) was able to flame the spirit of Surabaya youngsters to get victory over the colonizer in the great battle of war, November 10, 1946 in Surabaya. It had a great impact to Indonesian Independence as a result the government awarded A *Santri* Day that was officially launched by the President Joko Widodo in October 22, 2015, based on the Presidential Decree No. 22/ 2015.

<sup>9</sup> Kartini Kartono, *Wawasan Politik Mengenai Sistem Pendidikan Nasional* (Bandung: Mandar Maju, 1990), p. 71.

<sup>10</sup> M. Saerozi, *Politik Pendidikan Agama dalam Era Pluralisme* (Yogyakarta: Tiara Wacana, 2007), p. 59.

Indonesian Independence up to present time?<sup>11</sup> how the policy implicates toward the development of *pesantren*? This study, on the view of the writer's concept, is rarely analyzed in term of research. The study of *pesantren* mostly lays on the internal activities -so, it is usually called 'product'- which refers to a certain figure' thought; just like a study conducted by Zamakhsyari Dhofier<sup>12</sup> which concerns on the tradition of *pesantren*, Mastuhu<sup>13</sup> who focuses on *pesantren* with educational dynamic, Hiroko Horikoshi<sup>14</sup> who studies about the *kiai* and the social changes, Pradjarta<sup>15</sup> who concerns on the relationship of moderate and immoderate *kiai*<sup>16</sup> on behalf of societies, and

<sup>11</sup> Islamic Religion Education is kind of education that prepares the students to be able to exhibit the role demanding the mastery of Islamic religion knowledge and to be the master Islamic knowledge and perform the tenets of Islamic education (Regulation of Ministry of Religious Affairs (PMA) 13/2014, Article 1 verse (1). The above definiton was slightly different from Islamic Religion Education (PAI) means the education contributing knowledge and shaping attitude, personality, and skills of pupils, in performing Islamic tenets at least it could be in form of a subject/lecture at any types, levels, and forms of education (Government Regulation 55/2007, Article 1 verse (1).

<sup>12</sup> Dhofir, *Tradisi Pesantren*.

<sup>13</sup> Mastuhu, *Dinamika Sistem Pendidikan Pesantren* (Jakarta: INIS, 1994)

<sup>14</sup> Hiroko Horikosi, *Kiai dan Perubahan Sosial*, trans. Umar Basalim dan Andy Muarly Sunrawa (Jakarta: P3M, 1987)

<sup>15</sup> Pradjarta Dirdjosanjoto, *Memelihara Umat: Kiai Pesantren-Kiai Langgar* (Yogyakarta: LKiS, 1999)

<sup>16</sup> Moderate *kiai* means a *kiai* who uses prayer-house in conveying Islamic values, and immoderate leads to an understanding of a *kiai* who has many settlements as the places for conveying, in wide range, Islamic values.

Mohammad Toha<sup>17</sup> who studies about management of *santri*. Whereas, any studies viewing *pesantren* out of internal framework which mainly on the concern of government policies toward *pesantren* is rarely conducted. Relating to this, for instance, a study by Karel A. Steenbrink which focuses on the response of *pesantren* on modernity and governmental policy<sup>18</sup> and Ara Hidayat<sup>19</sup> who studies about response of *pesantren* toward the policy of *pesantren mu'adalah*. However, all those differences are beneficial, as they can be precisely crucial references to this study.

## Research Method

This research uses qualitative approach, and the kind of research is library research. Qualitative research is a research procedure which obtains descriptive data in form of words (utterance), writing, and behavioral characteristic from the observable figures.<sup>20</sup> Library research is a kind of research which the data are obtained in form of documents provided. That is quite different from field research which requires researcher directly comes to a certain research lo-

<sup>17</sup> Mohammad Toha, *Manajemen Peserta Didik Program Akselerasi Pembelajaran Kitab Kuning di Maktab Nudzatul Bayan Pondok Pesantren Manbaul Ulum Bata-Bata Palengaan Pamekasan* (Disertasi UIN Sunan Ampel, Surabaya, 2015)

<sup>18</sup> Karel A. Steenbrink, *Pesantren Madrasah Sekolah: Pendidikan Islam dalam Kurun Modern* (Jakarta: LP3ES, 1994)

<sup>19</sup> Ara Hidayat and Eko Wahib, "Kebijakan Pesantren Mu'adalah dan Implementasi Kurikulum di Madrasah Aliyah Salafiyah Pondok Pesantren Tremas Pacitan," *Jurnal Pendidikan Islam* Vol. III, No. 1, (Juni 2014).

<sup>20</sup> Robert Bogdan and Steven J. Taylor, *Metoda Penelitian Kualitatif* (Surabaya: Usaha Nasional, 1992), pp. 21-22.

cation, the place where the data can be obtained.<sup>21</sup>

Besides that, based on the data used, this research includes in a historical research because most of some data needed are related to past events.<sup>22</sup> The steps of historical research generally consist of four main activities namely heuristic, verification, interpretation, and historiography.<sup>23</sup> Heuristic is an activity in collecting any past records of the events preceding. Verification is an activity in investigating any past records of the events preceding whether the forms or, their presences (contents) are authentic or not. Interpretation is an activity in determining the relationship of some events preceding; interrelated or not. While historiography is a step of conveying and presenting the result of synthesis obtained from a certain history.<sup>24</sup> Through the steps elaborated above, chronological and periodical also abjectively reconstruction on the governmental policy related to *pesantren* as the Islamic educational institution can be an enlightenment to do.

Data source of this research entirely lays on documents which they are primary and secondary. Primary documents involve the copy of laws, regulation, and decision which related to the governmental policy of *pesantren* since the

<sup>21</sup> Mestika Zeid, *Metode Penelitian Kepustakaan* (Jakarta: Yayasan Pustaka Obor Indonesia, 2014), pp. 4-5.

<sup>22</sup> Louis Gottschalk, *Mengerti Sejarah*, trans. Nugroho Notosusanto (Jakarta: UIP Press, 2006), p. 39; Dudung Abdurrahman, *Metodologi Penelitian Sejarah* (Yogyakarta: Ar-Ruzz Media, 2007), p. 53.

<sup>23</sup> Nugroho Notosusanto, *Norma-Norma Dasar Penelitian dan Penulisan Sejarah* (Jakarta: Pusat Sejarah ABRI, 1974), p. 17.

<sup>24</sup> Abdurrahman, *Metodologi*, p. 84.

beginning of Indonesian Independence up to the process of this research construction. The secondary documents are any information obtained from individual/team/social institutions in form of books, magazines, bulletins, statements and also news which are broadcasted by a certain media dealing with policy of *pesantren* as Islamic-traditional educational institution. To define the quality of the documents, in term of historical research, two kinds of critics, internal and external, can be used. Internal critic tries to get data relevance to a research focus, while external critic attempts to identify the data authenticity.<sup>25</sup>

As the data source lays on documentation, the data collection then uses documentation with the documentation guideline as its instrument. The documents are collected from any sources, one of them is online media because there have been many products of governmental policies published legally to the public by online media.

Data analysis is the most important aspect in a research. It is an activity to systematically search for and arrange the result of the observation field-note, interview, and others needed to maintain the researcher's understanding of the study and to present the result of the study as new discovery for others.<sup>26</sup> As the previous explanation, the data of this research entirely lay on the documentation. Therefore, the analysis only works on the provided documentation. As a rule of qualitative research, data analysis should be done before and after the on

going of research construction. Analysis method used is document analysis. The steps in conducting document analysis are; to select and read the documents needed which are appropriate to a research objective; to interpret the intended documents which as the interpretation itself must be relevant to the time when the events occurred; and to make an inference which is equal to the formulated research objective.

Considering interrelationship of *pesantren* to a social discipline, humanity ethical values, and policies construction of *pesantren* which are dilemma and thus they tend to imply to a pragmatic decision, that's why; the researcher also uses another approach namely meta-ethical pragmatism approach as it has been developed by Noeng Muhamdijir.<sup>27</sup> The approach is intended to search for the sense of ethical of variety in social policies to political policies of *pesantren*. Ethical principle which is used as measurement of Islamic educational policies essence is a theory of human right moral.<sup>28</sup> Ethical principle on the policies of *pesantren* can be found on the policy product which the essence is to guarantee the people's right on their freedom. And one of their freedoms are to do the rules or regulations of religion they believe in.

## Research Result and Discussion

Since the Indonesian Independence up to this research construction written, there are amount of policies which implicitly and explicitly pay high atten-

<sup>25</sup> Ibid., p. 67-73.

<sup>26</sup> Noeng Muhamdijir, *Metodologi Penelitian Kualitatif* (Yogyakarta: Rake Saras, 1996), p. 104.

tion on the existence of *pesantren*. Those policies can be viewed as follow:<sup>29</sup>

The first,<sup>30</sup> a recommendation of the Central of Servant Organization of Indonesian National Committee (BP KNIP)<sup>31</sup> that was launched on December 27, 1945 which states "Madrasah and *pesantren* are truly one educational centre which both attempt to give educational enlightenment toward citizenries, so that, they should be seen crucial by providing any aids needed in form guidance-control and material from the government."<sup>32</sup> The

<sup>29</sup> According to People's Consultative Assembly Decree No. III/MPR/2000, the order of Indonesian legislation is set as follows (1) Basic Constitution 1945, (2) People's Consultative Assembly Decree, (3) Legislations (4) Government Regulation as the Substitution of Legislation (PERPPU), (5) Government Regulation, (6) Decision of President, and (7) Local Government Regulation (Province, District/City, and Village)

<sup>30</sup> Naming of numbers in order, (the first, the second, the third, and so forth), was only for major law products in its time. However, the lower law products, as the interpretation of major law, became the sub-order of the numbers.

<sup>31</sup> KNIP was established in August 22, 1945 by PPKI (the Committee of Indonesian Independence Preparation) and was inaugurated in the August 29, 1945 at Pasar Baru Art Hall Jakarta. It was led by Kasman Singodimedjo. Based on the declaration of Indonesian Vice President No. X (October 16, 1945), before People's Consultative Assembly (MPR) and Legislative Assembly (DPR) were established, KNIP had been responsible for the legislative affairs. This committee was also established at all districts in form of KNID. In accomplishing the tasks KNIP had been supported by KNIP Working Institution (BP KNIP) that the members were elected from the available KNIP members BP KNIP was responsible to KNIP. Erwiza Erman and Sudibjo, "KNIP", *Ensiklopedi Nasional Indonesia 3* (Jakarta: Delta Pamungkas, 1997), pp. 28-30.

<sup>32</sup>Pendis Kemenag RI, "Sejarah Pendis", Internet: <http://pendis.kemenag.go.id/index.php?a=artikel>

second, a recommendation of Panitia Penyelidik Pengajaran (the Committee of Teaching Surveillance) that was launched on July 2, 1946 which states "quality of both *pesantren* and *madrasah* must be highly maintained."<sup>33</sup>

The two decisions above are, though they are in forms of recommendation, officially the legal admission by the government namely BP KNIP who participates in legislative institution, and the Committee of Teaching Surveillance beneath the control of Minister of Education on the existence of *pesantren* as educational centre which attempts to give educational enlightenment toward, which it has been known well by, Indonesian citizenries. This admission is an appreciation from the government toward *pesantren* as it has been participating in giving educational enlightenment for Indonesian citizenries. In addition, it has been known that before the existence of modern educational institutions, just like school and *madrasah*, the only *pesantren* which plays significant role in giving educational enlightenment toward Indonesian citizenries. Its existence then is forwarded with sincere charity and unpretentious deed of the head of *pesantren*. *Pesantren*, as it has been

l&id2=sejarahpendis#.VdCHN\_ntmko (accessed in the August 16, 2015)

<sup>33</sup> The committee of teaching surveillance had been established by the Ministry of Education & Culture March 1, 1946. The duty was to design the system of national teaching-learning. This institution was head by Ki Hadjar Dewantara and Soegarda Poerbakawatja as the secretary. In the July 12, 1946, this institution launched a number of recommendations, dealing religion education and *Pesantren*. Soegarda Poerbakawatja, *Pendidikan dalam Alam Indonesia Merdeka* (Jakarta: Gunung Agung, 1970), p. 41.

outstanding since the era of -also called branch of- Walisongo, consistently performs its traditional function as the centre of Islamic teaching (*tafaqquh fi al-dîn*), which due to its existence also comes up brilliant generation of *ulamâ`* (a dedicated person for Islam with strong faith and well Islamic teachings mastery), teacher (of Islamic teaching), social figure, and *mubâligh* (appointed person whose duty is to convey Islamic teachings) whose their presences are important for societies. Besides that, *pesantren* is as a training centre for students also Moslems to against colonizers for Indonesian Independence. Referring to their active participation, it is precisely appropriate that *pesantren* officially obtains formal admission after Independence.

In addition to that formal admission, the recommendation also contains suggestion toward government to help *pesantren* development in maintaining its quality. Yet, after the two recommendations had been launched until the Old Order ended (1965), the product of governmental policy related to *pesantren* was not found anymore. Whereas, the duration of both new and old order were not simply restricted; it took a few years (1945-1965), and in term of general education the amount of policies had been launched by the old order. Those policies are Law No. 4/1950 on the Principles of Education and Teaching Instruction in School (*Dasar-Dasar Pendidikan dan Pengajaran di Sekolah*) which is then re-established to Law No. 12/ 1954.<sup>34</sup> That had shown an ignorance

<sup>34</sup> The Regulation namely Act No. 4/1950 had legally decided by "Presiden" Mr. Assaat and the Ministry of PP & K (Ki S. Mangunsarkoro) in the capital city of Indonesia, Yogyakarta. It is worth to

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to *pesantren* itself during the Old Order. In another words, the policies of Old Order do not stand for the Islamic educational development, especially to *pesantren*. There is a discriminatory in that case. It can be seen from the dominant intervention of Indonesian Communist Party (PKI) to government, mainly in the end of Old Order, that makes Islamic education complicated. On the other hand, a few of the guardians include in the practical politic<sup>35</sup> that they directly communicate, share, and cooperate with any parties developed by the government which such condition makes *pesantren* difficult in gaining sympathy from the government.

The third, the decision of provisional people's consultative assembly No. XXVII/MPRS/1966 on Religion, Education, and Culture,<sup>36</sup> especially on

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acknowledge that on December 1949 the Indonesian Republic experienced the change of government management into United States of Indonesian Republic (RIS). Indonesian republic became the part of RIS. As a result, UU No. 4/1950 had been applied only in Yogyakarta. In the reborn of NKRI (August 17, 1950), it had been stated that the above regulation could be applied all over Indonesian lands. The decision was taken after the parliament accpetd it. in the January 27, 1954, and it was finally legalized by the government in the March 12, 1954 and legislated in the March 18 of the same year. Hence the regulation was named Law No. 12/1954 containing the statement about the effective of Undang-Undang Nomor 4/1950 to all Indonesian districts and pronices. I. Djumhur dan Danasuparta, *Sedjarah Pendidikan* (Bandung: Tjerdas, 1961), pp. 202-204.

<sup>35</sup> Especially through the establishment of NU Party as the participant of general election in 1955, that the main board members were the owners of *pesantren*, from the highest upto the lowest levels.

<sup>36</sup> The Decree of Provisional People's Consultative Assembly XXVII had been decided in the July 5, 1966, signed by the Provisional People's

article 5 (Chapter I about Religion) that states "In order that *pesantren* reaches a simply attention from the government". The decision is form of attention and admission from the highest institution of the country in the beginning of new order toward the role of *pesantren*. The most factual role in the end of the Old Order is, except of the education and religious aspect, the intervention of *pesantren* to against the uprising of PKI in which all citizenries also participate. However, the decree of provisional people's consultative assembly is not forwarded with operational policies which reflect the government's attention toward *pesantren* as it has been mentioned in the provision of provisional people's consultative assembly, until its progress is not identified at that time.

Meanwhile, during the beginning of New Order history, one of the most educational policy is to do an even effort and expand access in gaining basic education (elementary school) in all around the father land of Indonesia through building schools and providing and distributing teachers.<sup>37</sup> By the existence of

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Consultative Assembly Head (A.H. Nasution) and the deputies (Osa Maliki, Subchan ZE, M. Siregar, and Mashudi)

<sup>37</sup> In the record of history, the policy of the government was known as SD Inpres, state of elementary school, because the acceleration of program had been implemented through the President Instruction (Inpres). It was started with the President Instruction No. 10/1973 about the program of elementary schools building aids. The realizations, which was decided on November 1973, was in form of donation of Rp. 15,8 billions; every building must contain of three classrooms. Here are the details: 6.000 unit in 1973/1974, 6.000 unit in 1974/1975 and 10.000 unit in 1975/1976. The total coped 3.000.000 new chairs. At the same time, the government recruited the

Elementary School in almost of all part of outlying places, societies know more about modern school which has been developing since colonialism.

In another case, the entry of modern schools to rural villages can be challenge to *pesantren* which, at that time, *pesantren* itself was sinking in functioning traditional curriculum and approach in teaching. That's why; presence of the schools system can be implicitly rival to *pesantren*, moreover, after the government qualifies standardization on educational operation by bestowing systems applied in school to guide. The government assumes that the educational system of traditional *pesantren* has its shortages in some aspects; curriculum, teachers, teaching method, and facilities. Therefore, innovation must be needed by integrating school system as a model.

The effect of this standardization integration policy, a few *pesantrens* take an alternative solution by building school with modern system to accommodate students with persistently maintaining its main mission as the institution promoting *tafaqquh fi al-dîn*. Through that demeanor, the graduations of *pesantren* are officially equal to the graduations that the school with modern system has. And most of *pesantrens* keep maintaining their independence. Moreover, partly of *pesantrens* survives with its traditional function as *tafaqquh fi al-dîn* which only performs Islamic teachings.<sup>38</sup> Some others survive

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new employee in 1968 for about 18.000 freelance teachers and 41.000 fixed teachers. C.E. Beeby, *Pendidikan di Indonesia; Penilaian dan Pedoman Perencanaan*, trans. BP3K dan YIIS (Jakarta: LP3ES, 1982), p. 68.

<sup>38</sup> As it is undergone by Pesantren Sidogiri, Langitan, and Pesantren Lirboyo East Java.

with integrating principle which of both Islamic and general teaching materials are combined and developed independently.<sup>39</sup> As the effect of disobeying to the curriculum which the government designs, the graduations of the school (which combining of both Islamic and general teaching materials) are not seen equal to the school in reverse. In spite of that case, *pesantren* which survives with its independence believes in the superiority of the program pioneered, that they (guardians) are not influenced by schools with modern system.

In the subsequent development, *Pesantren* can be a public debate before the general assembly of Provisional People's Consultative Assembly (MPRS) 1988, especially after the suggestion of traditional religious institution to be incorporated into the State Major Outline (GBHN), in order to make its position and action more pronounced in developing nations. Because, it is recognized or not, in each of the past, *pesantren* shows a significant role to the nation. At the beginning of the Independence, *Pesantren* drives the masses in seizing and maintaining Independence. At post Independence, *pesantren* helps a lot in the success of development programs, e.g. *Keluarga Berencana* (Family Program) and transmigration program. Both of two programs are hardly successful without the support of *pesantren*.

But the idea of *pesantren* to be involved into GBHN does not succeed because the attitude of pros and cons are

<sup>39</sup> as it is developed by Pesantren Gontor through the program of KMI (*Kulliyatul Mu'allimin al-Islamiyah*) and Pesantren Al-Amien with the program of TMI (*Tarbiyatul Mu'allimin al-Islamiyah*).

not only among outside of schools but also among inside of schools. According to Sahal Mahfudz, there are at least three attitudes among *pesantren* in looking the proposed of *pesantren* entrance to GBHN;<sup>40</sup> first, there are clear and unequivocal ambitions enter GBHN on the grounds to maintain their existence without conveying the concept of existence in thorough and complete formulation. Second, it opposes the first attitude, fearing the influx of outside *pesantren* dominantly will affect the independence of the *pesantren*. Meanwhile the third, choose silence. It is unclear, whether this attitude arises from despair or maturity in accepting the reality consistently.

Fourth, Law No. 2/1989 on the National Education System, especially in article 11 paragraph 1 stating the type of "Education that makes education track consists of general education, vocational education, exceptional education, service education, religious education, academic education, and professional education." Then in article 22, paragraph 6 says "religious education is an education that prepares students to be able to carry out the role which requires mastery of specific knowledge about the religion in question." In the explanation of article 11 paragraph 6 states that "religious education is held at all levels of education."

The description above indicates that in the Education Act 2/1989, the term of *pesantren* is not mentioned explicitly. This is very different from the previous provisions (BP KNIP recommendations,

<sup>40</sup>Sahal Mahfudh, *Nuansa Fiqih Sosial* (Yogyakarta: LKiS, 2012), pp. 350-352.

teaching investigator, and Decree of People's Consultative Assembly No. XXVII/1966) who calls *pesantren* clearly accompanied by admission of its role in building the nation. It seems at the impact of earlier debates in the general sessions of the Assembly in 1988 who refuses *pesantren* enter GBHN. It means, from the aspect of mentioning the terms, there is setback attitude from the government. At the beginning of the Old Order and New Order, *pesantren* was expressly mentioned in the policy product, while in mid term of New Order, the term of *pesantren* appears as "illegitimate" to be mentioned.

Then, where is the position of *pesantren* in the Education Act 2/1989? If it is seen from limitation of 'religious education' term as mentioned in article 11 paragraph 6, *pesantren* includes in the Islamic education form, which is mentioned in this article, because this traditional institution's main function is to prepare students to master knowledge of Islam in broad and deep, as had been shown in the course of history. However, because the law is not accompanied by detailed description about form and type of religious education, so the interpretations become different. This can be seen from government that the intended interpretation of Islamic religious education is formal religious, Special Islamic Senior High School (MAK), as set out in the decision of Minister of Religious Affairs No. 37/1993. *Pesantren* remains one of Islamic religious education form, but in the outside path of school education. The provision stipulated in Government Regulation No. 73/1961 on Education of Outside School, in particular article 3 paragraph 1, which states, "types of education outside school consist of

general education, religious education, office of education, service education and vocational education." Of course, as the part of education outside of school, *pesantren* becomes second class of educational institution whose diplomas are not directly recognized as equivalent as the education of school. But regardless of the discriminatory policy, through the Education Act 2/1989, *Pesantren* (as part of religious education) has been recognized as sub system of national education, even though in the path of outside school education, an official recognition that was never found in the previous policy product.

*Pesantren* admission as a form of religious education in the outside lane of school began embodied in the implementation of 9 years compulsory education. In Presidential Decree No. 1/1994 on guide lines for the implementation of compulsory primary education, emphasized that "Educational unit known as *pesantren* possible separate basic education programs that equivalence with basic education approved by the Minister of Education and Culture (No. 7, point c)." In the operational level, the legality of compulsory education program in *pesantren* newly takes shape in 2000, after the release of joint agreement of National Education Minister and Minister of Religious Affairs No. 1/U/KB/2000 and No. MA/86/2000 on *pesantren salâfiyah* as the pattern of compulsory education. Then at the implementation level, joint agreement of both minister followed by joint decree of the General Director of Primary and Secondary Education and General Director of Islamic Religious Institution Building, No. E/83/2000 and No. 166/c/Kep/DS/2000 on guidelines

for the implementation of *pesantren salâfiyah* as a pattern of compulsory education. Besides that, there is also a decree of General Director of Islamic Religious Institution Building No. E/239/2001 on technical guide of compulsory education program implementation at *pesantren salâfiyah*, and Mutual Decision General Director of Islamic Religious Institution Building and The Head of Research and Development Ministry of Education No. Dj.II/526/2003 and No. 6016/C/HK/2003 on national final examination 9 years compulsory education program at *pesantren salâfiyah*.

Policy which is significant to *pesantren* after the enactment of the Education Act 2/1989 is the release of equalization policy between religious education graduate with formal education graduate in the level of junior high school and senior high school. This admission is initiated through KMI (*Kulliyatul Mu'allimîn al-Islâmiyah*) program of Pesantren Gontor and TMI (*Tarbiyatul Mu'allimîn al-Islâmiyah*) program of Pesantren Al-Amien Prenduan Sumenep. For the case of Pesantren Al-Amien, government admission shown by Decision of General Director of Islamic Religious Institution Building Religious Affairs No. E.IV/PP.032/K.EP/80/98 on granting equal status of Pesantren TMI al-Amien Prenduan Sumenep. Two years later, the same steps carried out by Ministry of National Education issued Decree No. 106/0/2000 on TMI admission of Pesantren Al-Amien Prenduan Sumenep. That two decisions mentioned that TMI Al-Amien graduate equal to senior high school or *madrasah aliyah* graduate and has the same right with senior high school or

*madrasah aliyah* graduate to continue their study to public universities and/or to apply for job which requires senior high school or *madrasah aliyah* graduate.

The government admission seems as a part of the Education Act 2/1989 implementation, especially in article 47 paragraph 1 which mentioned "society, as government partner, have widest opportunity to participate in the implementation of National Education"; paragraph 2 "the characteristics of educational units held by public remains heed". The explanation of paragraph 2 states, "the paragraph is meant to appreciate each organizer of educational units organized by people who have certain characteristic, such as educational units with religious background, culture and etc."

Government admission toward *pesantren* graduate, although it is too late,<sup>41</sup> is the form of government appreciation to *pesantren*, which has been long time and tested held typical *pesantren*

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<sup>41</sup> It is kind of a late program since; (1) in fact, public have been accepted the graduation of TMI/KMI for a long time indicated with the increase of santri/students and graduates numbers of TMI/KMI; (2) the alumnae of KMI/TMI are generally much better in terms of quality than the graduates *Madrasah Aliyah* (Islamic Senior High School); and (3) some different countries have admitted the quality of the graduates of TMI/KMI that they are equal with the graduates of local country in the same level. In the case of TMI Al-Amien, for instance, the admission was started by the Madinah Islamic University and dan University of Ummul Qura Mecca (1982), Islamabad University Pakistan (1988), Al-Zaytun University Tunisia (1994), and Al-Azhar University Egypt (1997). Mohammad Tidjani Djauhari, *Masa Depan Pesantren: Agenda yang Belum Terselesaikan* (Jakarta: Taj Publishing, 2008), p. 157.

education independently. Because, it is recognized or not, from religious education program which is held by *pesantren*, has been producing thousands graduations who had already served in a number areas of life, some of them become religious leaders and community leaders who take an active role in building the nation

This *mu'âdalah* policy, although at the beginning of implementation often found obstacle,<sup>42</sup> has become foundation for organizer of *pesantren* to develop a more stable program. As well as, government admission through *pesantren* Islamic educational program which is "different" from government's one, foster new spirit of another *pesantren* which are interested in developing similar programs, after the previous time a lot of *pesantren* still doubt it.

*Fifth*, Law No. 25/2000 on national developing program (Propernas) of 2000-2004. On chapter VI about religious development, especially at point 4 about social development program of religious institution and traditional religious educational institutions, there are a number of point which discuss the existence of *pesantren* as follows:

a. Social development programs of religious institution and religious institution of traditional education consist of *pesantren*, *madrasah aliyah*, weekly school, Hindu education foundation and Budha education foundation. *Pesantren* as religious educational institution obviously has given big

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<sup>42</sup>Struggle mentioned is still faced by government/private institution and state universities which do not accept the diplomas of *pesantren* mentioned when proposing job or proceeding study in to universities.

contribution in educational service for community. *Pesantren* has opened up education access for poor people in rural areas. Besides giving a religious education, *pesantren* also provides practical skills such as agriculture, husbandry, workshop, sewing even computer operator. *Pesantren* as educational institution has long history track and become one of variants in diversity of existing education, but not fully become part of national education system yet.

- b. Social development program of religious institution and traditional religious educational institutions aims at: (1) empower and increase the capacity and quality of religious and social institutions, and (2) provide educational services for rural communities, especially in a weak socio-economic background.
- c. Target achievements are increasing role of social institutions of religious and traditional institutions of religious education in national development and strengthen religious values in social change.
- d. The main activities undertaken is to empower socio-religious institution, such as a group of religious pilgrims, Taklim assembly, adolescents and youth mosque organization, *Baitul Mal wat-Tamwil*, *Amil* (collector) *Zakat* institution and *Nadzir Wakaf*; (2) increase traditional educational institution which has propaganda and education mission for community; (3) give governmental subsidies and returns in traditional religious of educational institution; (4) increase management quality of traditional religious of educational institution;

and (5) provide infrastructures support, equipments, textbooks, and other reading materials in traditional religious institution.

Provisions in the legislation above show that government's attention to a religious boarding school education is getting better. The term of *pesantren* is mentioned openly and repeated, completed with recognition of *pesantren's* role and development programs for it. This is different from the Education Act 2/1989 that seems "forbidden" call the term of *pesantren* in all of the chapters.

Sixth, Act No. 20/2003 on National Education System. In this act, the existence of *pesantren* makes specifically on section 9 on religious education, especially in article 30 paragraph 1 until 5 as follows:

- (1) Government and/or community of religious adherents' accordance with legislation hold religious education.
- (2) Religious education is held by government and/or community of religious adherents' accordance with legislation.
- (3) Religious education serves to prepare students to be members of public who understand and practice the values of their religion and/or become a theologian.
- (4) Religious education can be held at formal education, nonformal education and informal education.
- (5) Religious education is in the form of *diniyah* education, *pesantren*, *pasraman*, *pabhaja samanera* and other similar form.

As follow up of the articles of religious education above, government issued Government Regulation No. 55/

2007 on religious education. This regulation published a number of articles related to the existence of *pesantren*, as follows:

- a. Article 1 paragraph 4 *pesantren* is Islamic educational institution which the basis is community based, provides *diniyah* education or integrated education with other types of education.
- b. Article 11 paragraph 1 students in primary and secondary religious education which accredited have right to move to an equivalent level in elementary school, Islamic Elementary School (MI), Junior High School (SMP), Islamic Junior High School (MTs), Senior High School (SMA), Islamic Senior High School (MA), Vocational High School, Vocational Islamic Senior High School, or other equivalent forms which have been qualified the requirements; (2) The product of non-formal and/or informal religious education can be valued as equivalent as formal/religious/general/vocational education after passed the examination which is held by educational unit accredited, appointed by government and/or local government; (3) students of formal, non-formal and informal religious education who earn diplomas at the same level of formal/general/vocational can proceed to the next level in educational, religious or other types of education.
- c. Article 12 paragraph (1) government and/or local government provide educational resources to support religious education; paragraph (2) government protects the independence and particularities of religious education as long as not conflict with national education goals.

- d. Article 14 paragraph (1) Islamic educations in form of *diniyah* education and *pesantren*; paragraph (3) *pesantren* can hold one and/or some educational programs at the formal, non-formal and informal education.
- e. Article 26 paragraph (1) *pesantren* hold education in order to instilling faith and devotion to Allah SWT, noble character and tradition of boarding schools to develop ability of the knowledge and skills of students to become an expert in Islam (*mutafaqqih fî al-dîn*) and/or become Muslem who have skills/expertise to build an Islamic life in society; paragraph (2) *pesantren* hold *diniyah* or integrated education with other types of education at level of early childhood education, primary, secondary and/or high education; paragraph (3) students and/or educator in *pesantren* who is recognized by their skills in religious education but do not have a formal education certificate can become educator of subject or course of religious education at all levels, path or types of education that requires them, after run competency test accordance with the laws and regulations.

Following up on Regulation No. 55/2007, Ministry of Religious Affair in charge of religious education issued a regulation No. 13/2014 on Islamic education and Regulation of the Minister of Religious Affair No. 18/2014 on education unit *Mu'âdalah* at boarding school. In this regulation, mentioned that the form of Islamic education consists of *dîniyah* and *pesantren*. *Diniyah* consists of formal, non-formal, and informal *diniyah*. Meanwhile *pesantren* consists of formal and non-formal *pesantren*. Which includes

in for-mal *pesantren* is education unit *mu'âdalah* which can be held by *salafiyah* atau *mu'allimîn*.<sup>43</sup> While non-formal *pesantren* held in form book study from level of *ibtidâ'i*, *tsanawî*, *'ulyâ*, and *ma'had takhashshus*. Formal *pesantren* graduate is equated with formal graduate school/madrasah after fulfilling some certain requirements. To be easily understood, forms and types of Islamic education are described in the table below:

### **Form, Path and Type of Islamic Education**

Form	Path	Type/Description
<i>Pesantren</i>	Formal	Organized through education unit <i>mu'âdalah</i> , with the type of <i>salafiyah</i> and <i>mu'allimîn</i>
	Nonformal	Organized through textbook study begin at the level of <i>ibtidâ'i</i> , <i>tsanawi</i> , <i>'ulyâ</i> , and <i>ma'had takhashshus</i>

<sup>43</sup>*Salafiyah* is educational unit of *mu'âdalah* with *kitab kuning*/classic books based, whereas *mu'allimîn* is the educational unit of *mu'âdalah* with *dirâsah Islâmîyah* based, using an educational pattern namely *mu'allimîn*. It is *dirâsah Islâmîyah* based meaning the compilation of studies concerning Islamic knowledge which is systematically structured and organized (*madrasah*). Meanwhile, the educational pattern of *mu'allimîn* has been the *pesantren* education system that is integrative in nature, that comprehensively integrate the Islamic and general knowledges, intra, extra, and co-curricula. It is adapted from Regulation of Ministry of Religious Affairs 13/2014 on Islamic Education.

Diniyah Education	Formal	Organized in structures and tiered by and are in boarding school, which include <i>dîniyah athfâl, ulâ, wusthâ, 'ulyâ, and ma'had 'alî</i>
	Nonformal	Organized in <i>madra-sah diniyah taklimi-liyah</i> form ( <i>ulâ, wusthâ, 'ulyâ, al-jâmi'ah</i> ), al-Qur'an education, <i>taklim</i> assembly or other similar forms, whether inside or outside of <i>pesantren</i>
	Informal	Organized by community in form of Islamic education in family environment.

The issuance of Education Act 20/2003 and related to regulations under, particularly related to Islamic education, is the most aligned policy to boarding school than previous policy, because in this policy attention through *pesantren* is more detailed, systematically, and impartially. The position of religious education, *pesantren*, as subsystem in national education, as mentioned in the Education Act 2/1989, growing steadily after the release of this regulation. Similiarly, the government's recognition of equivalency (*mu'âdalah*) of the boarding schools' graduate which have been started since

1998, even stronger with the release of these regulations. Not only these, through these favorable regulations, *pesantren* will get various education resources from government and/or local government. Besides that, government's recognition through the independence and particularity of religious education, *pesantren* as has been stated in the Education Act 2/1989, further guaranteed by the government through this regulation, as long as not conflict with national education goals.

Improved government attention towards religious education, *pesantren* as described above, can also be seen from the development of management structure of organization in boarding school's organizer in Ministry of Religious Affair, as the responsible management of religious education.

Although the Ministry of Religious Affairs has been established since 1946,<sup>44</sup> one year after independence proclamation, *pesantren*'s management unit in Ministry of Religious Affair independently was formed in 1975, with the opening section of the boarding school at one of the sub director in The Directorate of Islamic Education. Formerly, *pesantren* development is only a part of the works of the relevant sections. In 1979 management unit of boarding school had been raised up from section into sub directorate, called as Sub-Directorate of boarding school and *madrasah diniyah* which is under of auspices of Directorate of Islamic Education. Significant changes occurred from 2001, by the raising of

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<sup>44</sup>Ministry of Religious Affairs was established in Sjahrir II Cabinet based on Government Regulation No. 1/S.D in Januari 3, 1946 (Muhamar 29, 1364 H)

*pesantren* management unit, from sub-directorate to be a separate directorate under the auspices of General of Islamic Education, Directorate of Islamic Education and *Pesantren*. Then, since 2006, was made a name change, but the position is still become separate directorate, called by Directorate of *Diniyah* Education and *Pesantren* which is under auspices of General Directorate of Islamic Education.<sup>45</sup> It is not impossible, as long as the development of *pesantren*, someday *pesantren* can be managed by a separate general directorate, General Directorate of Islamic Education.

By having a separate directorate, then the existence of *pesantren* has more attention than before. The government's attention can be in the form of formal recognition of human resources and curriculum, development assistance support of operational cost, repair or support of facilities and infrastructure for *pesantren*. This thing, for instance, is showed by the issuance of technical guidelines of school for receiving assistance, which includes technical guidelines of students boarding aid, technical guidelines of operational assistance, technical guidelines of *halaqah* implementation, and technical guidelines of boarding rehabilitation.<sup>46</sup>

<sup>45</sup>Data is collected from Husni Rahim, *Arah Baru Pendidikan Islam di Indonesia* (Jakarta: Logos, 2001), pp. 75-84; and Website of Ministry of Religious Affairs ([www.pendis.kemenag.go.id](http://www.pendis.kemenag.go.id))

<sup>46</sup>Further reading in technical guidelines of students boarding aid, technical guidelines of operational assistance, technical guidelines of *halaqah* implementation, and technical guidelines of boarding rehabilitation, issued by Directorate of *Diniyah* and Boarding School General Directorate of Islamic Education Ministry of Religious Affairs on Mei 2015.

By the Improved alignment of government policy toward *pesantren*, it is expected that a lot of *pesantren* will organize *mu'âdalah* education unit and/or formal *diniyah* education.<sup>47</sup> Because, according to writer, this model is more ideal than the opening of *madrasah*/school based on government curriculum which has been organized by *pesantren* for long time. Why is it more ideal? Because by the pattern of *mu'âdalah*, *pesantren* has more freedom to organize their traditional function (as *tafaqquh fî al-dîn* institution which does transmission and transferring Islamic knowledge; maintaining Islamic tradition; and *ulama* reproduction);<sup>48</sup> beside keeping general subject and/or other competencies in sufficient proportion.<sup>49</sup> This thing is different from the organization system of school/*madrasah* in

<sup>47</sup>Temporary Data—as Decision General Directorate of Islamic Education Indonesian Ministry of Religious Affairs No. 2852/2015—noted as number of 17 *mu'âdalah* education units at the level of MTs and 31 *mu'âdalah* education units at level of MA which have been equivalent. This number can increase and decrease depend on the result of on going evaluation which is proceed by government (Ministry of Religious Affairs) and depend on *pesantren*'s determination to join or not to join *mu'âdalah* education program.

<sup>48</sup>Azyumardi Azra, "Pesantren: Kontinuitas dan Perubahan", in Nurcholish Madjid, *Bilik-Bilik Pesantren Sebuah Potret Perjalanan* (Jakarta: Paramadina, 1997), p. xxiii.

<sup>49</sup>In Decision of Ministry of Religious Affairs No. 18/2014, stated that *mu'âdalah* curriculum must enclose general subject, at least consist of (a) Indonesian citizenship education, (b) Indonesia Language, (c) mathematic, and (d) natural science. Compare to school/*madrasah* curriculum, these general subjects are less, so *pesantren* can be free to develop other Islamic materials in its curriculum, or developing certain competency which is needed as their particular characteristic of *pesantren* and demands of the time.

*pesantren*. Through this way, *pesantren* is not free to do the traditional function as *tafaqquh fi al-din* institution because they spend their time to organize general subject which becomes highly dominant.

Even *mu'âalah* model is more ideal for *pesantren*, Ministry of Religious Affairs as the organizer of *Pesantren* Establishment Regulation can not be too baggy in issuing *mu'âalah* founding license. Under control permission case of *madrasah* establishment can not be happening to *mu'âalah* establishment because the impacts are the control and quality which the assurance will be so difficult to be done. In *pesantren* circle, the need of obtaining permission to establish *mu'âalah* should not be seen as a form of *pesantren* castration. But it should be seen as quality assurance aspect and modern country's administration demand.

What must be a vigilance is the government's intervention in form of funds and facilities supplying which increases to *pesantren* may not break down its self-esteem and independence. It has been a hundred years that *pesantren* stands for its authority due to its capability in maintaining its mission with its total independence. In addition, the guardians and all of stake-holders are not required to have pragmatism in responding to the government's intervention, as it has occurred for some of institutions which intentionally mark up the data in order to gain facilities and funds supplying. If this is intentionally done by the guardians and, or also stake-holders, they truly wish their institutions' decadences.

Such was the case, kind of regulations which implicitly tends to support *pesantren* can be seen as chance

and, or challenge. It is seen as chance because *pesantren* has its right to develop independently the Islamic education with maintaining the characteristic of it without thinking a lot of an admission. Although, Minister of Religious Affairs and the Forum of Communication of *Pesantren Mu'âalah* (FKPM)<sup>50</sup> – as an organization conducting *mu'âalah* education unit – must continuously socialize (to society, public or private institution, and to higher education) the regulation progresses of Islamic education in effort of avoiding misunderstanding related to

<sup>50</sup> This forum was built to mediate and communicate the *pesantrens* managing the *mu'âalah* education. The objective is to hold the lines and to fight the status and future of *mu'âalah* education and the alumnae. By the middle of 2015, FKPM organizes 36 *pesantrens* organizing *mu'âalah* education. They are KMI Gontor (Ponorogo), KMI Pesantren Baitul Arqom (Jember), KMI Pesantren Darul Qolam (Tangerang), KMI Pesantren Nurul Ikhlas (Tanah Datar-Sumbar), KMI Pesantren Pabelan (Muntilan Mantingan), KMI Pesantren Raudhatul Hasanah (Medan), MHS PP (Ciwaringin), Pesantren Al-Basyariah (Bandung), Pesantren Modern Al-Mizan (Lebak Banten), Pesantren Al-Amien (Prenduan-Sumenep), Pesantren Al-Ikhlas (Kuningan), Pesantren Darul Rahman (Jakarta), Pesantren Darunnajah (Jaksel), Pesantren Mathlabul Ulum (Sumenep), Pesantren Modern Al-Barokah (Nganjuk), Pesantren Ta'mirul Islam (Surakarta), PP. Al-Anwar (Jateng), PP. Al-Falah (Ploso-Kediri), PP. Al-Fithrah (Surabaya), PP. Al-Hamidy Dirasatul Mu'allimin (Pamekasan Jatim), PP. Darul Munawaroh (NAD), PP. Darussalam (Kencong-Kediri), PP. Lirboyo Hidayatul Mbtadi'en (Jatim), PP. Miftahul Mbtadiin (Nganjuk), PP. Nurul Qodim (Probolinggo), PP. Mathali'ul Falah (Kajen Pati), PP. Salafiyah Syafiyyah (Pasuruan), PP. Sidogiri Madrasah Aliyah Miftahul Ulum (Jatim), PP. Termas MA Salafiyah (Pacitan), TMI Pesantren Cibatu (Garut), TMI Darul Muttaqien (Bogor), and TMI Pesantren Darunnajah Cipining (Bogor). Today, FKPM is led by KH. Dr. Amal Fathullah Zarkasyi, M.A.

diploma/graduation as it has occurred formerly, which, in turn, it damages *pesantren mu'adalah* itself. Besides that, *pesantren* also potentially obtains various aids from the government, which that can help the existence of *pesantren* in developing its quality; supports of facilities, educators, and management.

It can be seen as challenge because the more that *pesantren* follows the government's regulation, the more effort that *pesantren* needs in keeping and maintaining its quality; the quality itself refers to the process and the graduation, in order that it is believed and relied on by the societies and government. Besides that, every government support—that *pesantren* needs and receives—always corresponds to reporting administration and complex responsibility, to which it is new experience. Seeing the variety of support, *pesantren* should be good model in using the facilities and funds received and also the reporting administration. It must be aware that the government support should not make the guardians involve in a corruption of social support for *pesantren*.

## Conclusion

Since the beginning of Indonesian Independence up to nowadays, the government has launched policy to *pesantren* as it is an Islamic educational institution. In the early of Old and New Order, governmental policy tends to claim the intervention on the *pesantren* as their entirely effort, also a recommendation from legislative (BP KNIP and MPRS) in order that the government maintains the quality of *pesantren*.

The most influential policy toward *pesantren* is preceded by the Education

Act of 2/1989 on National Education System. Through this regulation, *pesantren* has been legitimated as subsystem of national education—as a part of kind of Islamic education—though it is not involved in the school system. In the level of implementing, the admission is forwarded by the government well-acceptance to the graduation of *pesantren mu'adalah* since 1998 and the involvement of *pesantren salafiyah* on the program 9 years compulsory education since 2000s.

The Education Act of 20/2003 on National Education System which has been attached by some policies related to *pesantren* (especially Government Regulation No. 55/1997 on Religious Education and Religiousity Education, Regulation of Ministry of Religious Affairs No. 13/2014 on Islamic Religiousity Education, and Regulation of Ministry of Religious Affairs No. 18/2014 on Education Unit of *Mu'adalah* in *Pesantren*), that has been awarded as subsystem of national education.

The implication of the policies which tend to support the existence of *pesantren*, the institution which has Islamic basis and society approach can widely develop its traditional function as the institution focusing on *tafaqquh fi al-dîn*, and expand the range of teaching with both science and knowledge without omitting the characteristic of *pesantren* itself. Besides that, *pesantren* has a great opportunity to develop the institution through the government support. The importance is to see every policy wisely and carefully in order that *pesantren* is able to keep maintaining its characteristic.]

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