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Do Governance of Decentralization Autonomy Regulation: Evidence from Muslim Countries

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Abstract;

Indonesia and Malaysia have comprehensive educational regulatory systems, but the question is whether these policies affect Islamic Education Technology Innovation. This research aims to analyze the Education Decentralization Policy in Indonesia. This is normative legal research sourced from primary, secondary, and tertiary legal materials. The results of the research present that, first, regulations for the development of Islamic education technology are very difficult to develop in Indonesia because there is a dualism of regulation and management at the Ministry of Education and Culture and the Ministry of Religion, this dualism is not in accordance with the principles, concepts, and spirit of regional autonomy. Second, regulatory dualism has an impact on the quality of education in Indonesia, even though education in Malaysia carries out integrated management in one institution. Third, Malaysia has made efforts to integrate science and technology since primary school. In the last decade, various efforts and variations in the development of IT-based Islamic education have been carried out by the central government in Indonesia by creating the *Madrasah* Reform Program and the *Salaf* Islamic Boarding School Equality Program (PKPPS). However, its implementation requires better optimization and equalization efforts.

Keywords: Decentralization; Autonomy; Regulation; Islamic Education; Technology; Muslim Countries

Indonesia dan Malaysia mempunyai system regulasi pendidikan yang komprehensif, namun pertanyaannya adalah apakah kebijakan tersebut mempengaruhi Inovasi Teknologi Pendidikan Islam. Penelitian ini bertujuan untuk menganalisa tentang Kebijakan Desentralisasi Pendidikan di Indonesia. Penelitian ini merupakan penelitian hukum normatif yang bersumber dari bahan hukum primer, sekunder dan tersier. Hasil penelitian memperlihatkan bahwa, pertama, regulasi pengembangan teknologi pendidikan Islam sangat sulit berkembang di Indonesia dikarenakan terdapat dualisme regulasi dan manajemen pada Kemendikbud dan Kementerian Agama, dualisme tersebut tidak sesuai dengan prinsip, konsep dan spirit dari otonomi daerah. Kedua, Dualisme Pengaturan berdampak kepada kualitas pendidikan di Indonesia, padahal Pendidikan di Malaysia melakukan pengelolaan yang terintegrasi di satu kelembagaan. Ketiga, Malaysia melakukan upaya integrasi sains dan teknologi sejak sekolah rendah (*primary school*). Dalam satu dekade terakhir, berbagai upaya dan terobosan pengembangan pendidikan Islam berbasis IT sudah dilakukan oleh pemerintah pusat di Indonesia yakni dengan membuat program Madrasah Reform dan (Program Kesetaraan Pesantren Salaf (PKPPS) meskipun dalam pelaksanaannya memerlukan upaya optimalisasi dan pemerataan yang lebih baik lagi.

Kata kunci: Desentralisasi; Autonomy; Regulation; Islamic Education; Technology; Muslim Countries

1. Introduction

In the history of development, there has been a significant technological transformation in the Islamic education system in Muslim countries such as Indonesia and Malaysia. This transformation can be seen in at least two ways. First, technological transformation is considered

a certainty for developed countries like Malaysia. However, this is an enormous change and progress for developing countries like Indonesia, especially in Islamic education. Second, in terms of regulation, this aspect of change is a unique phenomenon considering that Indonesia and Malaysia are legal countries where both are countries with majority Muslim populations with a multicultural paradigm^{1, 2}. The Dutch constitution, which is Article 179 paragraph 2, states clearly that Islamic education is prohibited from being taught in public schools and in 1975 a national curriculum was also implemented with a portion of 70% general subjects and 30% religious subjects³. This proportion shows that Malaysia is not only multi-cultural but also multi-racial, and multi-religious country. Interestingly, with this diverse background, Malaysia created a constitution that makes Islam the official state religion as in Article 3 Paragraph 1, placing the position of religious protection in an important and universal position⁴, by allowing other religions to practice.

In several literatures, regulations in Islamic education system can be mapped at two levels, namely nationally and regionally governed. Nationally, Law Number 4 of 1950 in conjunction with Law Number 19 of 1954 clearly states that the implementation of Islamic education in Indonesia has been different since the colonial era^{5, 6, 7}. The difference in question is that during the colonial era, the education system was oriented towards creating human resources who were educated and ready to work with economic goals. Meanwhile, the orientation of Islamic education at that time was how to form personal and social piety⁸. In national education system as stated in Law Number 2 of 1989 and Law Number 20 of 2003 is classified into three groups. The first group, state education units are regulated by the government. The second group, private education units are regulated by institutions. The third group, namely higher education levels, is regulated by the institution concerned. In the regulatory context, these three groupings are the embodiment or implementation of the national curriculum which has general and specific national objectives. In general, the regulations made by the government have a general purpose such as creating educated Indonesian citizens and fostering good characters for Indonesian in dimensions of faith, piety, and morals⁹. Furthermore, within the national legal framework, a new era of education began, namely the era of regional autonomy with the enactment of the Regional Autonomy Law in 2014. Law Number 23 actually was made in enacting implementation of education, including Islamic education. The existence of this regulation was officially delegated

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- ¹ Karta Jayadi, Amirullah Abduh, and Muhammad Basri, "A Meta-Analysis of Multicultural Education Paradigm in Indonesia," *Heliyon*, 2022, 2, <https://doi.org/10.1016/j.heliyon.2022.e08828>.
- ² Mohd Shuhaimi Bin Haji Ishak and Osman Chik Abdullah, "Islamic Education in Malaysia: A Study of History and Development," *Religious Education*, 2013, <https://doi.org/10.1080/00344087.2013.783362>.
- ³ Ali Mas'ud, Ah Zaki Fuad, and Ahmad Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia," *Journal of Indonesian Islam*, 2019, <https://doi.org/10.15642/JIIS.2019.13.1.21-49>.
- ⁴ Rio Armanda Agustian and Abdul Rasyid Saliman, "Model Pengakuan Hak Konstitusional Dalam Beragama (Studi Komparasi Menurut Uud Indonesia 1945 Dan Konstitusi Malaysia 1957)," *Masalah-Masalah Hukum*, 2019, 133, <https://doi.org/10.14710/mmh.48.2.2019.123-136>.
- ⁵ Ali Riaz, "Madrassah Education in Pre-Colonial and Colonial South Asia," *Journal of Asian and African Studies*, 2011, 69, <https://doi.org/10.1177/0021909610387758>.
- ⁶ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."
- ⁷ Ervan Nurtawab and Dedi Wahyudi, "Restructuring Traditional Islamic Education in Indonesia: Challenges for Pesantren Institution," *Studia Islamika*, 2022, 58, <https://doi.org/10.36712/sdi.v29i1.17414>.
- ⁸ Nurtawab and Wahyudi, "Restructuring Traditional Islamic Education in Indonesia: Challenges for Pesantren Institution."
- ⁹ A. Akrim et al., "Transformation of Islamic Education Curriculum Development Policy in the National Education System," *Cypriot Journal of Educational Sciences*, 2022, 6, <https://doi.org/10.18844/cjes.v17i7.7685>.

through Regional Regulations (PERDA). Several literatures state that this delegation of power will cause many problems in the future. The problems can be related on how to create a standard curriculum¹⁰,¹¹ how to formulate and implement a technology-based curriculum¹².

If in Indonesia the education system, including Islamic education, is very decentralized, then the education system in Malaysia nationally is centralized¹³ with in the federation state. As a federated country with thirteen federal countries, Malaysia administratively¹⁴ has nine areas of centralization, including education. In the context of centralized system regulation, this can have both negative¹⁵ and positive effects. Negative in the sense that, in terms of regulations¹⁶, the states in the alliance will experience a burden because the central government (State Council) may not understand the People's Council. Meanwhile, the positive meaning is that stakeholders¹⁷ can understand and implement a curriculum that is appropriate for students, including how to incorporate a technology-based curriculum¹⁸. The implementation of the education system in Malaysia is an effort to conduct scientific integration between Islamic and non-Islamic religions. This is done for two reasons, firstly so that Malaysia becomes scientifically advanced. Secondly, the reason carries out the constitutional mandate, which in the 1996 Education Law in Malaysia clearly states that the education system in Malaysia is an integrative system based on divine values so that individuals, families, and communities can live in progress and harmony¹⁹.

Regionally, there are Regional Regulations as in the context of this article, for instance, the Regional Regulations in Bangkalan, Sampang, Pamekasan, and Sumenep Regencies. These are Regional Regulation Number 6 of 2015, Regional Regulation Number 4 of 2016, Regional Regulation Number 8 of 2014, and Regional Regulation Number 7 of 2013. In this term, the Regional Regulation regulates in such detail the development of education starting from institutions, and teaching staff, students, and parents. Apart from that, this regulation regulates how to develop education according to the character of each region. According to experts, character education is the basis²⁰ and main characteristic of education. Interestingly, there is an aspect of autonomy in this character, such as how students understand various rules, which then

¹⁰ Akrim et al., "Transformation of Islamic Education Curriculum Development Policy in the National Education System." ²⁶

¹¹ Firman Mansir, "The Position of Islamic Education According ²⁰ the National Educational System in Indonesia," *Progresiva : Jurnal Pemikiran dan Pendidikan Islam*, 2022, 50, <https://doi.org/10.22219/progresiva.v11i01.20416>.

¹² Febblina Daryanes et al., "The Development of Articulate Storyline Interactive Learning Media Based on Case Methods to Train Student's Problem-Solving Ability," *Heliyon*, 2023, 3, <https://doi.org/10.34116/j.heliyon.2023.e15082>.

¹³ Kai Ostwald, "Federalism without Decentralization Power Consolidation in Malaysia," *Journal of Southeast Asian Economies*, 2017, <https://doi.org/10.1355/ae34-3d>.

¹⁴ Ostwald.

¹⁵ Ostwald.

¹⁶ Ostwald.

¹⁷ Muhammad Adzran Che Mustapa, Latifah Amin, and Ahmad Firdhaus Arham, "Stakeholders' Intention to Adopt Gene Therapy in Malaysia: Effects of Age, Education, and Religion," *SAGE Open*, 2020, 1–2, <https://doi.org/10.1177/2158244020970206>.

¹⁸ Maimun Aqsha Lubis and Budi Sanjaya, "The Existence of Integrated Islamic Education In Malaysia," *INNOVATIO: Journal for Religious Innovation Studies*, 2022, 23, <https://doi.org/10.30631/innovatio.v22i1.148>.

¹⁹ Lubis and Sanjaya.

²⁰ Chatia Hastasari, Benni Setiawan, and Suranto Aw, "Students' Communication Patterns of Islamic Boarding Schools: The Case of Students in Muallimin Muhammadiyah Yogyakarta," *Heliyon*, 2022, 2, <https://doi.org/10.1016/j.heliyon.2022.e08824>.

crystallizes into a consistent moral value (*akhlaq*)^{21, 22}. This crystallization of moral values is also explicitly stated in Article 11 Paragraph 1 of Pamekasan Regional Regulation Number 8 of 2014. In this regulation students are required to maintain their educational norms so that the learning process from start to finish can be successful according to the objectives.

This paper complements previous studies which paid less attention to the decentralization and centralization aspects of Islamic education regulations, especially their influence on technological aspects. Studies related to decentralization and centralization of Islamic education regulations tend to look at two things, first, decentralization and centralization of Islamic education regulations are always interpreted as normative, even though the issue of decentralization and centralization of Islamic education regulations since colonial times²³ has raised various problems, one of which is currently being faced is the problem of how to apply its technology²⁴. In its implementation, the government, in a decentralized or centralized government, as well as a federal state, prepares detailed²⁵ regulations, for example how *Madrasah* and Islamic Boarding Schools are accommodated in Law Number 18 of 2019 as a derivative regulation of Law Number 20 of 2003. The technology is implemented in the era of globalization and digital in an integrative²⁶, complete, and integrated manner starting from primary school to tertiary level and including state and private schools.

Second, there has been a shift from national law to regional law, this is seen as a breakthrough, but in essence, it actually adds to problems at the grassroots level, namely at each *Madrasah* (Islamic School) in the region. These problems are related to *Madrasah* management, infrastructure²⁷, curriculum²⁸, human resources for both teachers and students, and technology²⁹. In terms of infrastructure, in order to achieve advanced Islamic education, it is necessary to have similar regulations, specifically subsidy³⁰ regulations, Islamic and general schools will have similarities in terms of teacher quality, student quality, class facilities, and others. For example, the curriculum in Brunei Darussalam through the 1972 education commissioner which was amended in 1985 prepared all textbook tools, especially science textbooks, which were integrated³¹ with in Islam.

²¹ Jeffrey Guhin, "The Boundaries of Pragmatism in Muslim Education: Comparing the Islamic Pedagogies of Sayyid Qutb and Fethullah Gülen," *Critical Research on Religion*, 2020, 11, <https://doi.org/10.1177/2050303220952866>.

²² Hastasari, Setiawan, and Aw, "Students' Communication Patterns of Islamic Boarding Schools: The Case of Students in Muallimin Muhammadiyah Yogyakarta."

²³ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

²⁴ Daryanes et al., "The Development of Articulate Storyline Interactive Learning Media Based on Case Methods to Train Student's Problem-Solving Ability."

²⁵ Mohammad Kosim et al., "The Dynamics of Islamic Education Policies in Indonesia," *Cogent Education*, 2023, 8, <https://doi.org/10.1080/2157186X.2023.2172930>.

²⁶ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia," 24.

²⁷ Akrim et al., "Transformation of Islamic Education Curriculum Development Policy in the National Education System."

²⁸ Choirul Mahfud, "Evaluation of Islamic Education Curriculum Policy in Indonesia," *Premiere Educandum : Jurnal Pendidikan Dasar dan Pembelajaran*, 2019, 34, <https://doi.org/10.25273/pe.v9i1.4016>.

²⁹ Daryanes et al., "The Development of Articulate Storyline Interactive Learning Media Based on Case Methods to Train Student's Problem-Solving Ability."

³⁰ Jakhongir Shaturaev, "A Comparative Analysis of Public Education System of Indonesia and Uzbekistan," *Biotechnology Research Communications*, 2021, 61, <https://doi.org/10.21786/bbrc/14.5/18>.

³¹ Ismail Suardi Wekke & Maimun Aqsha Lubis, "Educational Technology On Teaching And Learning Of Integrated Islamic Education In Brunei Darussalam," *Ulumuna* XV, no. 1 (2011): 189.

The government, as the main regulator of policy, has indirectly ordained itself as the party that has implemented the rules properly, even though in reality it has carried out the practice of centralization, not decentralization as mandated by the Regional Autonomy Law. Due to this reason, this paper aims to find out why the second trend above is being carried out by the government. The government does not seem to understand that there are various parties that should be involved in the success of national education system. They are *Madrasah* stakeholders such as teachers, religious leaders, and the Muslim community itself. This condition is certainly different from Malaysia, which from the beginning before independence until now has consistently implemented centralization-integration³² in its national education system. This paper discusses three important questions: a) What is the regulatory dualism in Muslim countries such as Indonesia and Malaysia; (b) What is the regulatory mapping framework³³ regarding the development of educational technology in Muslim countries; (c) What are the government's efforts to decentralize the regulation of the Islamic education system³⁶ in the aspect of educational technology. A deep understanding of regulatory decentralization in various dimensions provides a model for problem-solving and lessons learned for preparing action plans for reform of the Islamic education system in the future.

The article about the decentralization and centralization of Islamic education regulations in Muslim countries, particularly on the influence of technological development, is based on an argument that national and global regulations have different legal bases and practical bases that have influenced the development of Islamic education technology. The regional autonomy regulations that have been enacted since 2014 have not been responded to uniformly by the community and *Madrasah* (Islamic School) stakeholders in several regions. Several factors, including Islamic culture society, infrastructure, human resources, and technology have been the basis for difficulties in problem-solving. Some use religion as an ideological basis for reading and understanding what is happening. Others use the integration of science and social conditions as a basis for taking a stance on the problems they are facing. At this point, it is very vulnerable to decentralization and centralization in the regulation of Islamic education. Thus, the Islamic education system in Muslim countries produces and reproduces decentralization and centralization of rules, particularly in technical innovations.

2. Research Method

This research is qualitative research that relies on primary and secondary data. Primary data was obtained from field studies by conducting in-depth observations and interviews at schools in Madura. The informants involved in this research were teachers and stakeholders at *Madrasah Diniyah* in the districts of Sampang, Pamekasan, Sumenep, and Bangkalan. Meanwhile, secondary data was obtained from various legal and regulatory documents, research reports conducted by UNICEF, as well as other online documents and news. To see the validity of the data obtained, the researcher carried out method triangulation and checked transferability periodically at the institution where the research was conducted. The data was then analysed according to Miles, Huberman, and Saldana which consists of 4 stages. The stages of data analysis are shown in Figure 1.

³² Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia," 29.

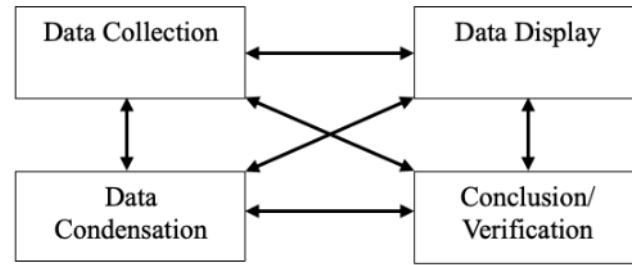


Figure 1. Interactive analysis during research

As stated in Figure 1, the analysis stages in this research consist of 4 stages, namely data collection, data condensation, data presentation, and drawing conclusions. Data analysis is carried out while the data collection process is in progress. In accordance with Figure 1, data analysis is carried out interactively at each stage³³.

3. Results and Discussion

Dual Regulation in Managing Islamic Education in Muslim Countries

In terms of regulations, Islamic education in Indonesia is in a contradictory managerial dualism³⁴. In Indonesia, the education system is divided into general education and religion. Interestingly, Islamic education is regulated by the Ministry of Education and Culture as stated in Law Number 20 of 2003 concerning the National Education System. However, in terms of management, Islamic and other religious education, including *Madrasah*, is under the authority of the Ministry of Religion. This dualism of regulation and management, which is nationally binding³⁵, is a contradictory policy and has an impact on the understanding of stakeholders at the grassroots. This contradiction was agreed by one of the principals of *Madrasah* (Islamic schools) in East Java Province who stated that there were many regulations that seemed to be against each other between our desires as people who understand Islamic education and the government, so these regulations made us confused³⁶. This fact shows that there is a contradiction in rules because how could things related to Islam be contained in a public or general system of rules. So, the many central regulations that are contradictory and appear to overlap with each other cause confusion at the lower levels of society or in this case observers of Islamic education in the regions.

In contrast to Indonesia, the educational system in Malaysia does not have dualism and is far from contradictory. In fact, according to regulations, the Islamic education system in Malaysia is currently moving in an integrative direction³⁷ with multi-approaches. The multi-approach refers to is by incorporating several religious subjects into several national or public schools, such as

³³ Hans Gerd Ridder et al., "Qualitative Data Analysis. A Methods Sourcebook," *Zeitschrift Fur Personalforschung*, 2011.

³⁴ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

³⁵ Jonathan M.B. Stem and Thomas M. Smith, "Private Secondary Schools in Indonesia: What Is Driving the Demand?," *International Journal of Educational Development*, 2016, <https://doi.org/10.1016/j.ijedudev.2015.11.002>.

³⁶ Mohammad Toyib, "Head of Madrasah."

³⁷ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

Arabic language subjects, the *Al-quran Sunnah*, and Islamic Sharia³⁸. The scientific integration in the Islamic education system in Malaysia is in accordance with the Malaysian Federal Constitution, Part I, article 3 number 1, which states firmly that Islam is the official religion of the federation, but other religions are permitted or may be practiced^{39 40}. This shows that the constitution in Malaysia provides a special space and has a high and important position⁴¹ which is directly monitored by an institution called *Jabatan Kemajuan Islam (JAKIM)* which leads to the supreme ruler called *Raja Yang Di-Pertuan Agong*. The scientific integration is recognized as an urgent by several heads of *madrasah* in Malaysia such as the Head of Madrasah Sri & Tadika Abu Bakar As Siddiq Taman Sri Gombak, Batu Caves Malaysia who stated that scientific integrated education in Malaysian Primary Schools is a combination of knowledge from the world and the hereafter, knowledge that is *farḍhu kifayah* and *farḍhu ain*, *aqli* and *naqli* knowledge. He continued, that the education system implemented is under the authority of the Malaysian Ministry of Education based on the Malaysian national Islamic education⁴².

Regarding the integration of the Islamic education system carried out by Malaysia, it actually philosophically uses all scientific resources available in religion and non-religion including technological aspects⁴³ as a unit. In the regulations, technically the education system in Malaysia falls under the authority⁴⁴ of the Ministry of Education which is formulated⁴⁵ into six main pillars, namely communication, spirituality, humanity, self-appearance, physical and aesthetic development, science, and technology. Interestingly, in implementing its educational integration system, Malaysia really uses Arabic and English as its foundation. So that students who are still in primary and secondary education must master this verbal aspect well as a preparation for their higher education and internationalization in the future. Regarding verbal mastery of both Arabic and English, this was acknowledged by one of the teachers and Head of *Madrasah Manbaul Uloom Kuala Lumpur*, Malaysia, who stated that Islamic education in Malaysia, especially in *Madrasah*, definitely includes Islamic religious studies, especially Arabic, as the main basis for understanding religion. He continued, the study of the Al-Quran and Hadith as well as Sharia sciences are also mandatory subjects in every *Madrasah* (Islamic school) in Malaysia⁴⁶. It shows that the Islamic education system in Malaysia is inversely proportional to Indonesia where Indonesia uses local culture and regional language as the language of instruction in the learning process⁷⁶.

In the context of decentralization, Islamic education in Indonesia actually has quite complicated problems. It is said to be complicated because the Regional Autonomy Law does not clearly state the aspect of equality at the level of Islamic education specifically and comprehensively nationally, even in Article 122 which only mentions two special regions, namely

³⁸ Ishak and Abdullah, "Islamic Education in Malaysia: A Study of History and Development."

³⁹ Isa Ansori, "Kedudukan Fatwa Di Beberapa Negara Muslim (Malaysia, Brunei Darussalam Dan Mesir)," *Analisis: Jurnal Studi Keislaman* 50(17), 142, <https://doi.org/10.24042/ajsk.v17i1.1790>.

⁴⁰ Ishak and Abdullah, "Islamic Education in Malaysia: A Study of History and Development."

⁴¹ Ishak and Abdullah.

⁴² Rahila Akhtar Husin, "Kepala Madrasah Sri & Tadika Abu Bakar As Siddiq Taman Sri Gombak, Batu Caves Malaysia" (2023).

⁴³ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia."

⁴⁴ Ostwald, "Federalism without Decentralization Power Consolidation in Malaysia."

⁴⁵ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia."

⁴⁶ Abdul Qowi Arwas, "Kepala Madrasah Manbaul Uloom Kuala Lumpur Malaysia" (2023).

Aceh and Yogyakarta. In fact, the equity aspect⁴⁷ in educational decentralization is very important and is a key factor in the success of the educational sector. Although in the explanation of the article it is clearly stated that for the Special Region of Aceh, the determination of educational policies must pay attention to the role of *ulama*. The explanation of this law shows that there is indeed empty space⁴⁸ at the level of regulation, especially what will be the policy in other regions that have a strong basis for Islamic education, such as on the island of Madura, East Java, for example. Regarding this equality, the Head of *Madrasah* Nahdatul Ilmi Bangkalan said "We have difficulty in adapting the applied curriculum in our madrasah because this regional autonomy policy indirectly gives it completely to the madrasah or school regarding management, curriculum, and other matters despite their respective backgrounds. "Schools are different, but we are required to provide results that are at least the same as other schools or madrasahs that are more advanced, so it is very difficult to implement this"⁴⁹.

Afterward, the rules regarding Islamic education in Indonesia are very complex⁵⁰. The complexity referred to is the overlap of central and regional regulations so that two schools appear at one level. A concrete example as in Law Number 20 of 2003 is the existence of Junior High Schools and also *Madrasah Tsanawiyah* (Islamic Junior High School), where the two entities are different in substance but the same in educational level. Differences in substance at one level are considered by educational experts to be complex, convoluted, or complicated situations⁵¹. Several *Madrasah* Heads in East Java, Indonesia agree with the complexity of the Islamic education system in Indonesia. They said that "as a result of the too convoluted rules between public schools and religion-based schools, this has had a big impact on the curriculum that we have to create in *Madrasah*⁵², ⁵³, ⁵⁴. This report shows that *Madrasah* students have a greater learning obstacles⁵⁵ than students at public schools where apart from having to master religious subjects such as the *Al-quran*, Hadith, Fiqh, and so on, they are also forced to study general subjects embedded in *madrasah*.

With this dualism of regulation and management, the Islamic education system in Indonesia and Malaysia has at least two challenges that must be faced. Firstly, how can the state guarantee and equalize the quality of a *madrasah* (Islamic school) if the rules still leave problems. The problem referred to is, for example, in Government Regulation (PP) Number 17 of 2010 Article 190 paragraph 2 which states that Islamic education units can develop religious characteristics in accordance with their respective social and cultural environments. Such regulation will give rise to many possibilities, for example, differences in student quality due to differences in resources, facilities, and culture. In one of the *madrasah* in East Java, one of the *Madrasah* Heads said that in his educational unit, there are many students who have more mastery of Islamic knowledge than others because many of the teachers who teach here are Islamic

⁴⁷ Ali Abdurahman and Bilal Dewansyah, "Asymmetric Decentralization and Peace Building: A Comparison of Aceh and Northern Ireland," *Padjadjaran Jurnal Ilmu Hukum*, 2019, <https://doi.org/10.22304/pjih.v6n2.a3>.

⁴⁸ Saldi Isra, Bertus de Villiers, and Zainal Arifin, "Asymmetry in a Decentralized, Unitary State: Lessons from the Special Regions of Indonesia," *Journal on Ethnopolitics and Minority Issues in Europe*, 2019.

⁴⁹ Ust. Hadi, Head of *Madrasah* Nahdatul Ilmi."

⁵⁰ Fern and Smith, "Private Secondary Schools in Indonesia: What Is Driving the Demand?"

⁵¹ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

⁵² Ust. Zahri, "Guru *Madrasah* Diniyah Miftahul Ulum."

⁵³ K. Ahmad Qusyairi, "Head of *Madrasah*."

⁵⁴ Mohammad Toyib, "Head of *Madrasah*."

⁵⁵ Kosim et al., "The Dynamics of Islamic Education Policies in Indonesia."

boarding school graduates, besides that the community environment here is also religious⁵⁶. Second, how can the state incorporate general knowledge, especially science and technology, into the Islamic education curriculum and learning. Given that no laws exist that make an effort to implement this scientific integration, it is challenging to do this. The existing regulations only stand alone, for example in Regulation of Education and Culture Ministry (*Permendikbud*) 67-70 of 2013 where the elaboration is contained in Decree of the Minister of Religion 183 of 2019. The point of these two regulations states that in *Madrasah* (Islamic Schools) the portion of religious subjects is greater than in general subjects, while public schools only get a portion of two hours each week. One of the madrasah instructors in East Java confirmed this, stating that the absence of integration between religious and secular curricula significantly impeded students' and schools' ability to further education, encompassing advancements in science and technology.⁵⁷ Meanwhile, different conditions are experienced by schools in Malaysia, one of which is an Islamic elementary school in the Batu Cave area of Selangor, Malaysia which uses projector learning media with a wireless system in almost all classes. It is acknowledged that each student will benefit from this, particularly when it comes to the communication process in the classroom. According to the school principal, this can be realized because the government is very supportive of all the facilities needed for the school's progress⁵⁸.

Comparison of Regulatory Frameworks in Islamic Countries for the Advancement of Islamic Education Technology (Islamic EdTech)

Islamic educational technology is a part of educational technology in general. Simonson said that technology actually covers five areas, namely design, development, utilization, management, and evaluation⁵⁹. Therefore, the development of these five fields is a form of development in educational technology in Indonesia. As with the general field, the application of educational technology is very necessary if it has to be applied to Islamic education⁶⁰. Waghid said that the application of educational technology could make Islamic education more meaningful and interesting. In using educational technology, teachers are required to be more creative in utilizing all aspects of learning, both technology-based and contextual-based. In fact, the Indonesian government has made various regulations regarding the management of educational technology.

The Indonesian government has provided opportunities for Islamic education to develop their institution. There are several rules that can be used as a reference when an educational institution, Islamic education in particular, develops itself. The making of this regulation is of course used as a basis for making a policy related to the management and development of an Islamic education institution. A mapping of Indonesian regulations related to Islamic education can be seen in Table 1.

There are three results of this article, developed countries such as Indonesia are not yet ready to introduce educational technology development even though regional autonomy has been

⁵⁶ Ust. Hadi, "Head of Madrasah Nahdatul Ilmi."

⁵⁷ Ust. Zahri, "Guru Madrasah Diniyah Miftahul Ulum."

⁵⁸ Rahila Akhtar Husin, "Kepala Madrasah Sri & Tadika Abu Bakar As Siddiq Taman Sri Gombak, Batu Caves Malaysia." ²⁹

⁵⁹ Michael Simonson, "Educational Technology Review of the Field by Michael Simonson Instructional Technology and Distance Education," *Educause Center for Applied Research*, no. January 2003 (2016): 1-81.

⁶⁰ Zayd Waghid, "Encyclopedia of Educational Philosophy and Theory," *Encyclopedia of Educational Philosophy and Theory*, no. January 2017 (2017), <https://doi.org/10.1007/978-981-287-532-7>.

implemented by regulation. The existence of dual regulation and management in Indonesia makes it very difficult for *Madrasah* (Islamic School) stakeholders to develop educational technology.

Table 1. Mapping Regulations on Education Development in Indonesia

No	Enacted Law	Level	Explanation
1.	Law Number 4 of 1950 on the Fundamentals of Education and Teaching, in combination with Law Number 19 of 1954	National	The implementation of Indonesian education must be different from education in Dutch era Indonesia. Indonesian education must be national and based on its own culture.
2	Law Numbers 2 and 20 of 1989 and 2003, respectively, pertaining to the National Education System	National	Educational development is carried out by three institutions. Firstly, state education units are regulated by the government, private education units are regulated by institutions, and higher education levels are regulated by the relevant agency.
4	Law No. 12 of 2012 on Postsecondary Education	National	Give universities the freedom to carry out comprehensive scientific development. Meanwhile, religious scholarship is regulated by the Ministry of Religion.
5	The Regional Government Law, Number 23 of 2014.	National	It has not been specifically regulated. Contains the basis for the development of religious activities which can be further regulated through regional regulations*
6	Number 57 of 2021 Government Regulation (PP) pertaining to National Education Standards	National	Regulates the implementation of education as a whole starting from implementation, evaluation and other developments.
7	The 87th Presidential Decree of 2017 pertains to the reinforcement of character education.	National	Contains the authority to develop activities that develop the character of students
8	Regional Regulation Number 9 of 2014 for the East Java Province about the Implementation of Education	Regional	Strictly regulate that the government guarantees self-development in institutions, education personnel and educators in the province of East Java
9	Regarding the Education Delivery System, the following regional regulations apply: Sumenep Regency Regional Regulation Number 7 of 2013, Pamekasan Regency Regional Regulation Number 8 of 2014, Bangkalan Regency Regional Regulation Number 6 of 2015, Sampang Regency Regional Regulation Number 4 of 2016.	Regional	Regulates educational development from various aspects starting from institutions, educational staff, educators, students, and parents. Apart from that, this regulation also regulates the development of education according to the content and characteristics of each region.

Source: Indonesian laws and regulations accessed via: <https://peraturan.bpk.go.id>

6 Based on Table 1, it can be seen that the Indonesian government has generally made written regulations regarding education management. Apart from managing education in general, the government has also specifically made various regulations related to the implementation of Islamic education. Regulations regarding the implementation of education have been designed from the 61 national to the regional level. The regulations governing the implementation of Islamic education can be seen in Table 2.

Table 2. Mapping of Islamic Education System Regulations in Indonesia

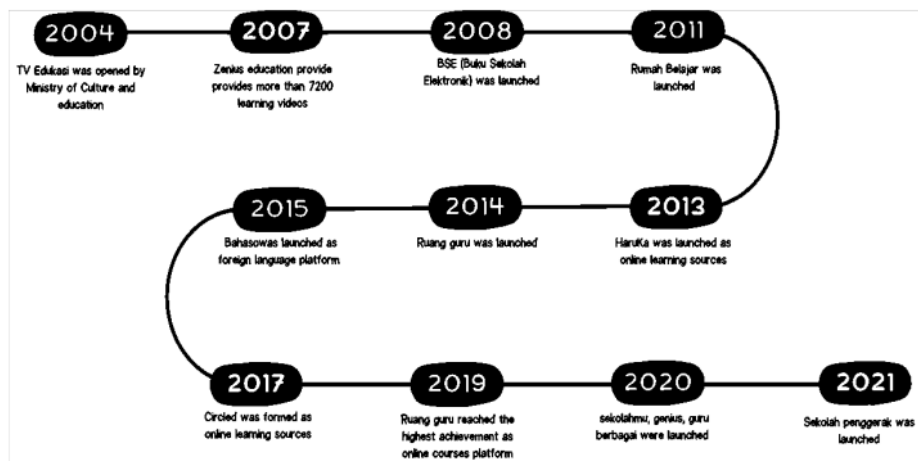
No	Enacted Law	Level	Explanation
1	The Minister of Religion's Decree No. 183 of 2019 pertaining to Islamic education curriculum	National	Regulates the content that must be contained in Islamic education subjects. There are no detailed regulations regarding the development of educational management and technology.
2	Concerning the Education Implementat ²⁴ System, Pamekasan Regency Regional Regulation Number 8 of 2014, Bangkalan Regency Regional Regulation Number 6 of 2015, Sampang Regency Regional Regulation Number 4 of 2016, and Sumenep Regency Regional Regulation Number 7 of 2013.	Regional	This regulation gives regional and community authority to organize education according to their locality, such as organizing <i>Madrasah Diniyah</i> , <i>MTQ</i> , and so on.

Source: Indonesian laws and regulations accessed via <https://peraturan.bpk.go.id>

⁴⁵ Based on the regulations presented in Table 1 and Table 2, it can be seen that the Indonesian government, through Ministry of Education and Culture and Regional governments (PEMDA), has made regulations regarding the implementation of education. Beside those, Permendikbud Regulation no 37 mandates that informatics as one of skill that must be mastered by students by proposing technology informatics as one major⁶¹. This regulation then leads to the existence of technology-used as one of core competencies during learning activities⁶². Therefore, the⁵⁶ Ministry of Education and Culture is trying to improve existing learning resources in Indonesia. According to data reported by United Nations Children's Fund (UNICEF), the development of educational technology in Indonesia is very advanced, particularly during the 2020 COVID-19 pandemic. The development of Indonesian educational technology reported by UNICEF from 2004 to 2021 can be seen in Figure 2.

⁶¹ Ferry Doringin, Simon¹⁹chen, and Teresa Doringin, "The Analysis of Government Strategy in Integrating Technology in Education," *Proceedings of the 3rd Tarumanagara International Conference on the Applications of Social Sciences and Humanities (TICASH 2021)* 655, no. Ticash 2021 (2022): 1082–90, <https://doi.org/10.32991/assehr.k.220404.171>.

⁶² Kemdikbud, "Kompetensi Inti Dan Kompetensi Dasar Pelajaran Pada Kurikulum 2013 Pada Pendidikan Dasar Dan Pendidikan Menengah," *JDIH Kemendikbud 2025* (2018): 1–527.



Sources: UNICEF report analysis on digital learning landscape in Indonesia contents⁶³

Figure 1. The development of EdTech in Indonesia

It can be seen in Figure 1 that the development of education by utilizing technology is growing rapidly in Indonesia. From 2004 to 2021 there are more than 10 platforms that provide online learning resources. Reg⁶⁷ fully, this educational tool is restricted to general subjects only. There has been no facilitation of the subjects included in the Islami⁵⁴ ducation curriculum. Even if it had been facilitated, this would not be as massive as managed by the Ministry of Education and Culture, Research and Tech⁴¹logy. In accordance with the mandate of KMA No. 183⁴⁴ 2019, there is no clause that regulates the development of Islamic education learning, as well as Law No. 2 of 1989 and Law No. 20 of 2003 concerning the National Education System. The creation of an IT-based curriculum overseen in Islamic education was subsequently based on this regulation. To ensure that learning remains individualised and dependent on the skills of the teacher, educational institutions and teachers, who play a pivotal role in the educational process, create their own learning resources. This is the reason that educational equality cannot be achieved in all domains-religious and general. In practice, the development of educational technology in the general and religious fields is very visible in its achievements. According to Ust. K. Subkhi, *Madrasah Diniyah* (Informal-islamic-based school) According to Miftahul Ulum Sumberjati, the policies communicated by the madrasah head are also arbitrary and genuinely dependent on one's perspective. However, currently, there have been changes in accordance with technological developments.

Based on the interview result, it appears that currently *Madrasah Diniyah* (MD) efforts to open up to developments in information technology. One way is to allow students to bring cell phones. This is part of the institution's control in dealing with learning at home. Ust. Subkhi's statement shows that Regional Regulation No 14 year 2016 for Sampang Regency worked. However, there is no specific management regarding the use of cell phones as a form of learning content in Islamic boarding schools.

Apart from that, other problems are also faced in religion-based schools as a result of government regulations that have been made. It is true that regional regulations in Madura, such

⁶³ UNICEF, 'Report Analysis On Digital Learning Landscape In Indonesia Contents', 2021, 112.

as in Sampan, Bangkalan, Pamekasan and Sumenep, have guaranteed and given authority to educational institutions to develop education in accordance with their respective local characteristics. But this actually causes inequality in the development of educational technology. As said by Ust. Junaidi MD Miftahul Ulum Sumberjati. From the interview transcript, it appears that *kiai* are central figures in the development of Islamic education, especially MD. This creates a very high level of subjectivity because everything will depend on the *kiai*. If *kiai* does not support the use and development of IT as a learning medium then learning at the institution will be conventional. Apart from that, the development of educational infrastructure also depends on the *kiai* themselves.

Based on those data, it can be seen that the regulations implemented by Indonesia are very problematic. There is policy dualism in education. One is regulated by the Ministry of Education and Culture and one side is regulated by the Ministry of Religion. This causes the equal distribution of the quality of human resources, infrastructure, and other learning facilities such as IT-based learning to be very visible⁶⁴. This is very different from the research results of Damayanti et al which stated that education in Indonesia has experienced rapid progress with the implementation of an independent curriculum, especially to achieve 21st-century competencies⁶⁵. This research did indeed occur for education under the Malaysian Ministry of Education and Culture.

Government's Action in Boosting Islamic Education in Islamic Countries

After implementing policy decentralization through regional autonomy regarding *madrasah* management, to advance *madrasah* education, the Indonesian government continues to take centralized action. The government is conducting breakthroughs and efforts to optimize Islamic education. ACDP Indonesia reported that the Ministry of Religion in charge of Islamic Education always tries its best to align Islamic Education and general education managed by the Ministry of Education and Culture. This step was taken without having to conflict with the National Education System Law⁶⁶. Even today, the Ministry of Religion is trying to align with general education through various policies and projects that are currently progressing⁶⁷. There are four types of projects listed in Madrasah Reform which are then described in four components, namely the e-RKAM implementation component, the learning outcomes assessment component, the professional development component for teachers and education staff, and the system component supporting quality development. This program is a program designed for 2020 to 2024. An outline of the road maps developed by the Ministry of Religion for 2020 - 2024 can be seen in Table 2.

Table 2. REP-MEQR Achievement Targets for the Ministry of Religion for 2020-2024

2020	2021	2022	2023	2024
<ul style="list-style-type: none"> ▪ A third of madrasahs adhere to e-RKAM technical guidelines; 	<ul style="list-style-type: none"> ▪ Of madrasah, 35 percent adhere to e-RKAM technical guidelines; 	<ul style="list-style-type: none"> ▪ 30% of madrasahs use the technical guidance provided by e-RKAM.; 	<ul style="list-style-type: none"> ▪ 100% of madrasahs take e-RKAM technical guidance; 	<ul style="list-style-type: none"> ▪ The technical guidance on e-

⁶⁴ Harris Y P Sibuea, "Education System Renewal in Indonesia: Developments and Challenges," *Jurnal Kajian* 22, no. 2 (2017): 151–62.

⁶⁵ and Teguh Trianung Damayanti, Fika, Hendis Vivien, Marline Situmorang, "The Problem of Education in Indonesia Is the Independent Curriculum the Solution," *Scholar: Media Educational Scientific Journal* 13, no. 5 (2023).

⁶⁶ ACDP Indonesia, "Optimize the Role of the Government in Islamic Education" (Jakarta, 2017).

⁶⁷ REP-MEQR, "Madrasah Reform Kementerian Agama," Kementerian Agama Republik Indonesia, 2020.

<ul style="list-style-type: none"> ▪ The creation of AKSI Madrasah trials and tests; ▪ Creation and testing of training programme materials, Pokjawas, and technical guidelines for the KKG-MGMP-KKM Programme; ▪ Creation of the Ministry of Religion's hardware, software, and policy framework for collecting educational data, along with audits for data accuracy. 	<ul style="list-style-type: none"> ▪ AKSI Madrasah training and socialisation, ▪ AKSI Madrasah is attended by 50% of Grade 4 students in MI (Islamic primary schools); ▪ fifty percent of the KKG-MGMP-KKM Program's Working Group of Teachers, Madrasah Heads, and Supervisors in Pokjawas; ▪ Between 25 and 100 percent of educators and other staff members take part in the training course. ▪ Validation and auditing of data accuracy, utilisation of the data collection system, and socialisation of the system. 	<ul style="list-style-type: none"> ▪ The AKSI Madrasah's socialisation and training programme 50% of MI (Islamic primary school) Grade 4 students participate in AKSI <i>Madrasah</i>; ▪ The Working Group comprising of all the teachers, madrasah heads, and supervisors who are executing the KKG-MGMP-KKM Programme in Pokjawas 100%; ▪ A quarter to half of educators and educational staff take part in the training course; ▪ Employ a system for gathering, validating, and auditing data accuracy. 	<ul style="list-style-type: none"> ▪ 100% of MI (Islamic primary school) Grade 4 students participate in AKSI <i>Madrasah</i>; ▪ In Pokjawas, all members of the Working Group comprising teachers, madrasah heads, and supervisors are executing the KKG-MGMP-KKM programme. ▪ A quarter of madrasah principals take part in the training programme; ▪ they also use data collection systems, validate their data, and conduct accuracy audits. 	<p>RKAM is followed by 100% of madrasahs. Data collection systems, validation, and audits of data accuracy are used.</p> <ul style="list-style-type: none"> ▪ evaluation and reporting of every project activity, suggestion, distribution of results, and closure.
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Source: <https://madrasahreform.kemenag.go.id/web/about/tahapan-pelaksanaan/ind>

It can be seen in Table 2 that the Indonesian government, through the Ministry of Religion, has begun taking massive action since 2020⁶⁸. From this five-year program, it can be seen that the development carried out is not only on the student aspect but also involves educators and educational staff in the madrasah environment. Shinta Dwi Rahayu, a lecturer at IAIN Kediri, also said there were very significant changes related to this program. She, furthermore, argued that The current AKMI program is very useful for optimizing the role of madrasahs in taking action in terms of literacy. This will really help Indonesia in welcoming a golden Indonesia. Not only the Ministry of Education and Culture take this role, but madrasahs can also take a role. This program is based on PISA which is organized by the OECD, so I think this is a very appropriate program. However, it needs to be considered more precise execution for optimal results

Shinta said that the *madrasah* reform program, especially component 2 of the evaluation of the results of AKMI's follow-up, had a very positive impact on *madrasah*. However, this program still needs to be evaluated again, especially regarding its implementation. Like a program, there must be monitoring and evaluation carried out on a continuum. In line with Shinta's statement, Qin also said that an ongoing program must still go through a process called monitoring, controlling and evaluating⁶⁹. Komar et al emphasized that control over a program must pay attention to three

⁶⁸ Annual Report, "Realizing Education ' S Promise," 2021.

⁶⁹ Xia Qin, "Project Management and Project Action Plan," *German Rector's Conference*, 2018.

things, namely creating a design, implementing the design, and reflection⁷⁰. As can be seen in Table 2, the Indonesian government makes a policy regarding annual achievements and ongoing evaluation of the programs implemented. This aims to ensure that the program can run optimally.

In line with the data in Table 2, an educational revolution is also starting to be carried out by providing support from the Indonesian government for non-formal Islamic education. Various motivations were conveyed by informants regarding the reasons for participating in the *Salaf* Islamic Boarding School Equality Program (PKPPS)⁷¹. The reason why this program emerged was to provide an opportunity for Islamic boarding school students (*santri*) to gain recognition from the government and society for the knowledge obtained at *Salaf* Islamic boarding schools. This is done while continuing to deepen the study of classical Islamic science accompanied by modern science. Students who initially only struggled with the yellow book gained additional insight by being given national insight lessons, such as Indonesian, Civic, Mathematics, English, Natural Sciences, and Social Sciences⁷².

Based on the explanation above, it appears that this method can provide access for the community to continue participating in non-formal education (*Madrasah Diniyah*) while also receiving recognition for formal education. As with formal education, obviously, the quality of learning at PKPPS⁵⁹ fully measured through the Accreditation system. In this case, accreditation is carried out by the National Accreditation Board for Early Childhood Education and Formal Early Education (BAN-PAUD-PDF). The quality standards used in accreditation also follow the 8 national education standards system according to the BAN-PAUD-PDF criteria. Meanwhile, the advantages of each PKPPS fully become the characteristics of that institution. In practice, there are 11 accredited PKPPS organizing institutions in Madura which can be seen in Table 3.

Tabel 3. List of PKPPS Institutions in Madura that have been successfully accredited.⁷³

No	NPSN (National School Principal Number)	Institution Name	Regency	District	Rank	Accreditation Year
1	69931235	PPS. AL- Asy`Ariyah	Bangkalan	Modung	C	2019
2	69931275	PPS. Darul Fatwa		Kwanyar	C	2018
3	69951625	PPS. Al Fadlaly		Klampus	C	2018
4	69951633	PPS. Syaichona Moh. Cholil		Bangkalan	B	2018

⁷⁰ and Pavlo V. Diachuk Komar, Olha A., Oleh S. Komar, Natalia A. Kolomiets, Liudmyla M. Roienko, "Implementation of a Monitoring System in the Educational Process in Primary School," *International Journal of Learning, Teaching and Educational Research* 18, no. 11 (2019).

⁷¹ Direktorat Pendidikan Diniyah dan Pondok Pesantren, "Penyelenggaraan Pendidikan Kesetaraan Pada Pondok Pesantren Salafiyah," n.d.

⁷² Wawancara dengan Ust Mas'ud, penanggung jawab PKPPS PP Darul Jihad Cendana Kadur Pamekasan, tanggal 14 September 2022 di kantor PKPPS.

⁷³ Document Data PKPPS institution Accreditation of 2018-2021 BAN_PAUD-PDF Jawa Timur

5	69951664	PPS Darul Mustofa		Burneh	B	2018
6	69931384	PPS. Darul Jihad	Pamekasan	Kadur	C	2018
7	69951714	PPS. Raudlatus Syabab	Sumenep	Batuputih	B	2021
8	69936915	PPS. Al-Gufron		Pasongsongan	B	2019
9	69951700	PPS Nurul Jamal		Pasongsongan	B	2019
10	69936902	PPS. As-Sadad		Ambunten	B	2018
11	69951696	PPS Assasul Muttaqin		Rubaru	A	2019

Table 3 above shows that the government facilitates the development of Islamic education in the form of non-formal education in order to receive legal recognition. *Salaf* Islamic boarding schools responded positively to the birth of this PKPPS because according to them, this PKPPS provides equal state recognition for the existence of students who choose the study of the yellow book as their interest. So far, these *Salaf* students have been able to accommodate the wider community through the Pursuit of Packages program. According to regulations, Islamic education is regulated in PMA No. 31 of 2020. This regulation has facilitated and changed the original *madrrasah* education which only studied books (*kitab*), but there are other subjects that can be included. Further, these regulations are regulated in the Decree of the Director General of Education No. 1626 of 2023.

Conclusion

Based on the discussion that has been carried out, an important finding in this study is that in terms of the regulations of the Islamic education system in Malaysia, there are significant differences. In Indonesia, regulatory management has changed from centralization to decentralization. Meanwhile, in Malaysia, since the British colonial era until now, it has consistently implemented the constitution of the highest leadership. Islamic education regulations in Malaysia remain consistent with centralization. In fact, what is unique is that Malaysia has integrated Islamic religious values from the start. This is done by including religious subjects such as Arabic, *Al-Quran* Hadith, and sharia sciences in public schools. Apart from that, the results of this article conclude three things, namely, firstly, the existence of dual regulation and management in Indonesia makes it very difficult for *Madrasah* (Islamic based School) staff to develop educational technology. Second, developing countries like Indonesia are not yet ready to present a balanced development of educational technology between Islamic education and general education. Even though regional autonomy has been implemented in regulations and several central regulations have been implemented to regulate this, this is because there are no clauses in either the Law or PERDA that regulate in detail the development of educational technology in the field of Islamic education. Meanwhile, in Malaysia, efforts to integrate science and technology have been carried out since primary school. Third, efforts to develop Islamic education are currently being carried out massively by the central government by creating the *Madrasah Reform* and PKPPS programs, but their implementation needs to be further optimized. This research was

limited to two countries so there are still many shortcomings when it comes to comparing the regulatory system for implementing Islamic education as a whole. Therefore, it is necessary to carry out further research to strengthen Indonesian policies regarding the implementation of Islamic education.

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