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
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


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Building Good Governance of Islamic Education Administrative Law: Learning Experience from Muslim Society in Indonesia

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Abstract:

Pemaknaan terhadap pendidikan Islam (madrasah diniyah) sebagai representasi lembaga Pendidikan Islam selalu memperlihatkan kontroversi. Kontroversi tersebut bisa dilihat dalam dua sisi. Di satu sisi, madrasah diniyah dianggap sebagai lembaga pendidikan agama nomor dua setelah pendidikan umum. Sedangkan di sisi yang lain madrasah diniyah juga dianggap sebagai lembaga pendidikan yang sangat berkontribusi terhadap kemerdekaan negara ini. Anehnya dalam dua dekade ini lembaga pendidikan Islam cenderung dan hampir selalu dikaitkan dengan stigma negatif seperti banyaknya kasus terorisme, intoleran dan lain-lain. Perbedaan pemahaman telah menimbulkan kesulitan dalam usaha membangun sebuah *good governance* atau sistem tata kelola pemerintahan yang baik dalam dunia Pendidikan di Indonesia terutama dalam sisi aturan atau hukum administrasinya (arti penting fenomena). Sejalan dengan itu, tulisan ini selain memetakan bentuk *good governance* yang dimaksud dalam kelompok masyarakat muslim juga menganalisis hukum administrasinya. Tulisan ini didasarkan pada data yang dikumpulkan dari hasil wawancara pada empat Lembaga di empat Kabupaten di Madura. Hasil penelitian memperlihatkan bahwa beberapa nilai, asas, serta prinsip-prinsip *good governance* telah dilakukan dengan baik oleh salah satu lembaga pendidikan Islam yakni madrasah diniyah dalam masyarakat muslim di Madura. Prinsip-prinsip umum *Good governance* dan manajemen administratif dan operatif yang sudah dipraktikkan dalam lembaga pendidikan Islam pada masyarakat muslim telah menjadi faktor pembeda dan mempunyai kontribusi penting dalam membangun dunia Pendidikan di Indonesia. Tulisan ini menyarankan perlunya perluasan kasus yang diteliti dan penambahan sumber data untuk memungkinkan dipahaminya *good governance* pada dunia Pendidikan Indonesia khususnya pada lembaga pendidikan Islam di masa yang akan datang secara mendalam dan komprehensif.

Keywords: *Good Governance; Hukum Administrasi; Pendidikan Madrasah Diniyah; Masyarakat Muslim*

1. Introduction

Dalam kacamata hukum, lembaga Pendidikan Islam termasuk di dalamnya madrasah diniyah selama ini berada dalam posisi kasta kedua setelah institusi pendidikan umum. Dari segi aturan misalnya hanya terdapat setidaknya 3 aturan sebagai dasar hukum madrasah diniyah. Beberapa aturan tersebut diantaranya adalah UU Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional, PP Nomor 19 Tahun 2005 Tentang Standar Nasional Pendidikan serta PP Nomor 55 Tahun 2007 Tentang Pendidikan Agama dan Pendidikan Keagamaan. (Hamdanah, 2019, p. 46). Selain tiga aturan tersebut juga terdapat aturan yang baru terkait pesantren yakni UU

Nomor 18 Tahun 2019 Tentang Pesantren. Sedangkan secara administrasi hanya ada 2 daftar aturan yang secara administratif tertulis menurut himpunan aturan hukum administrasi negara yakni terkait dasar-dasar Pendidikan dan Pengajaran di sekolah dan pengawasan Pendidikan dan pengajaran asing. (Philipus M Hadjon dkk, 2019, p. 37) Itupun untuk kedua aturan terakhir ini masih dalam lingkup Pendidikan Umum yang bisa mencakup Pendidikan Islam dan dan Umum atau non Islam. Fakta-fakta diatas berbanding terbalik dengan Pendidikan umum dimana banyak sekali ditemukan berbagai aturan yang memayungi Pendidikan umum. Beberapa aturan tersebut adalah UUD 45 Pasal 28 c ayat 1, Pasal 31 ayat 5 UUD 45, UU Nomor 4 tahun 1950 Jo UU nomor 19 Tahun 1954 Tentang Dasar-Dasar Pendidikan dan Pengajaran , UU Nomor 2 Tahun 1989 dan UU Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional, UU Nomor 14 Tahun 2005 Tentang Guru dan Dosen, UU Nomor 12 Tahun 2012 Tentang Pendidikan Tinggi dan aturan-lainnya. Fakta fakta ini menunjukkan satu hal bahwasanya telah terjadi tata kelola yang timpang dalam sistem Pendidikan di Indonesia khususnya ketimpangan dalam sisi aturan atau hukum administratif Madrasah Diniyah. Oleh karena tulisan ini ingin melakukan Analisa terkait sistem tata kelola yang baik (*Good Governance*) dalam bidang bidang Pendidikan khususnya terkait Madrasah Diniyah.

Dalam beberapa literatur, sejarah kemunculan istilah *good governance* sangat bertolak belakang dengan Madrasah Diniyah sebagai representasi Lembaga Pendidikan Islam. Hal kontradiktif ini memang harus diakui mengingat istilah *good governance* lahir dari masyarakat liberal yang berorientasi pada pasar (Philipus M Hadjon dkk, 2012, p. 2). Fakta ini semakin menegaskan bahwasanya posisi madrasah diniyah yang notabene sebagai manifestasi Lembaga Pendidikan Islam sangat kontra produktif dengan sistem tata kelola negara yang baik (*good governance*) dimana paradigma liberal dan agamis itu merupakan dua variabel yang sangat bertentangan. Akan tetapi fakta kontradiktif tersebut menarik untuk dikaji ulang karena secara filosofi (Al-Rsa'i, 2018, p. 3) pendidikan Islam mempunyai banyak distingsi dimana perbedaan inilah yang sebenarnya menjadi ruang diskusi dan penelitian lebih lanjut.

Dalam beberapa literatur, tulisan mengenai madrasah diniyah sebagai representasi Pendidikan Islam cenderung memperlihatkan posisi yang kurang pas bahkan dikenal sebagai Lembaga Pendidikan yang non formal akan tetapi mempunyai peran yang sangat signifikan secara demografi (Tedi Priatna, 2020, p. 1). Fakta tersebut memperlihatkan bahwasanya dalam konteks administrasi memang perlu adanya suatu sistem tata kelola pemerintahan yang baik. Sistem tata kelola ini merupakan hal ini sangat penting mengingat Madrasah Diniyah mempunyai posisi yang penting dan berpotensi apalagi jika dilihat berdasarkan data demografi. Fakta lain terkait madrasah diniyah memang ditemukan suatu kebijakan yang kurang berpihak pada pemerintah lokal atau lebih mementingkan penyelenggaraan Pendidikan pemerintah pusat (Badrudin, 2017, p. 17). Sehingga dengan fakta-fakta di atas banyak pihak yang memandang perlu untuk mereformasi sistem Pendidikan nasional kita secara menyeluruh. Reformasi ini ada yang menyebutnya dengan istilah rekonstruksi, integrasi agar lebih moderat dan lain sebagainya (Cecep Darmawan, 2021, p. 31), (Ngainun Naim, Abdul Aziz, 2021, p. 108). Kondisi-kondisi tersebut di atas memperlihatkan bahwasanya sistem penyelenggaraan Pendidikan kita sebenarnya mempunyai masalah urgen yang harus dipecahkan segera. Urgensitas tersebut yakni bagaimana membangun sistem tata kelola penyelenggaraan Pendidikan yang baik atau *good governance* demi sebuah cita-cita besar di masa yang akan datang yang sesuai amanat UUD 45 sebagaimana yang termaktub jelas dalam pembukaan yakni mencerdaskan kehidupan bangsa.

Tulisan ini bertujuan melengkapi kekurangan studi-studi terdahulu yang kurang memperhatikan tata kelola yang baik khususnya dalam bidang administrasi madrasah diniyah.

Secara lebih spesifik tulisan ini menunjukkan bahwa dalam membangun tata kelola pemerintahan yang baik (*good governance*), madrasah diniyah telah melaksanakan dengan baik segala aturan yang ditentukan oleh pemerintah meskipun aturan-aturan tersebut masih menganggap madrasah diniyah sebagai Pendidikan kelas dua setelah Pendidikan umum. Sejalan dengan itu maka ada tiga pertanyaan dalam tulisan ini: (a) Bagaimana wujud *good governance* dalam hukum administrasi madrasah diniyah; (b) Faktor apa yang menjadi dasar perlunya dibangun *good governance* dalam hukum administrasi madrasah diniyah; (c) Bagaimana implikasi adanya *good governance* terhadap hukum administrasi madrasah diniyah khususnya bagi masyarakat muslim di Madura. Jawaban atas ketiga pertanyaan memungkinkan dipahaminya dasar-dasar pemikiran yang digunakan sebagai landasan kepatuhan masyarakat muslim terhadap aturan administrasi pendidikan Islam di Indonesia.

Tulisan tentang bagaimana membangun *good governance* dalam hukum administrasi madrasah diniyah ini didasarkan pada suatu argumen bahwa masyarakat memiliki landasan ideologis dan praktis yang mempengaruhi beberapa bentuk persoalan dalam bidang manajemen pendidikan Islam. Hukum yang sudah berjalan dalam masyarakat muslim pun tidak ditanggapi secara seragam oleh berbagai individu yang berbeda. Sebagian menggunakan agama sebagai landasan ideologi dalam membaca dan memahami apa yang sedang terjadi. Sebagian yang lain menggunakan ilmu pengetahuan dan kondisi sosial sebagai dasar mengambil sikap terhadap persoalan yang sedang mereka hadapi termasuk juga dalam masalah hukum administrasi madrasah diniyah ini. Perbedaan kelompok dengan perbedaan landasan pemikiran masing-masing telah menjadi faktor penting yang menyebabkan tegaknya *good governance* dalam aturan administrasi madrasah diniyah dalam masyarakat muslim.

2. Research Method

Building *good governance* hukum administrasi madrasah diniyah atau pendidikan Islam dipilih sebagai subjek pembicaraan tulisan ini dengan mempertimbangkan tiga hal. *Pertama*, pembahasan membangun tata kelola pemerintahan yang baik dalam hukum administrasi pendidikan madrasah diniyah merupakan tema penting dalam pendidikan yang belum banyak diperhatikan dalam studi-studi sebelumnya. *Kedua*, membangun tata kelola pemerintahan yang baik menjelaskan tentang adanya keharusan dalam mengkonstruksi hubungan yang baik antara pemerintah dengan masyarakat, dan untuk mencapai ini membutuhkan suatu pemahaman seksama. Oleh karena itu alasan membangun tata kelola pemerintahan yang baik dalam hukum administrasi madrasah diniyah perlu diungkapkan. *Ketiga*, adanya tata kelola pemerintahan yang baik menjadi dasar atas fenomena yang terjadi dalam dunia pendidikan Islam khususnya dalam manajemen hukum administrasi madrasah diniyah. Fenomena ini membutuhkan pemetaan untuk memungkinkan dirumuskan tindakan nyata. Oleh karena hal itu maka ketiga alasan dipilihnya isu building *good governance* sebagai pokok pembicaraan tulisan adalah untuk memberikan pemahaman yang komprehensif dan insight bagi pemecahan masalah khususnya terkait hukum administrasi madrasah diniyah.

Penelitian ini bersifat kualitatif yang bersandar pada data primer dan sekunder. Data primer diperoleh dari studi lapangan untuk mengamati langsung dan dari pemetaan aspek-aspek penelitian. Data yang dibutuhkan terdiri dari data wujud, faktor, dan implikasi. Wujud *good governance* menyangkut pola-pola perbedaan aturan baik pada tataran pengetahuan, nilai dan praktik sosial khususnya dalam bidang pendidikan Islam. Berbagai tindakan yang memperlihatkan adanya perbedaan dalam interpretasi dipetakan dalam penelitian. Faktor yang menjadi dasar *good governance* dipetakan menurut faktor agama, dan faktor sosial dan pendidikan yang bersifat

praktis. Alasan-alasan praktis dapat menjadi dasar adanya perbedaan dalam interpretasi. Data terkait implikasi adanya *good governance* juga dipetakan, khususnya terkait bagaimana *good governance* melahirkan pemahaman, sistem dan tata kelola yang berbeda antara pendidikan Islam dan pendidikan umum.

Data dalam tulisan ini dikumpulkan dari hasil Wawancara, pada empat institusi yang berbeda dalam masyarakat muslim dengan memetakan karakteristik struktural dalam masyarakat muslim kelompok agamis pada empat lembaga pendidikan Islam di Pulau Madura. Untuk wawancara penulis melakukan deep interview dengan empat madrasah diniyah dengan karakteristik struktural yang dimaksud adalah *pertama* informan yang menjadi stakeholder baik guru dan pengelola madrasah diniyah di Kabupaten Bangkalan. Kedua informan yang menjadi stakeholder di madrasah diniyah di Kabupaten Sampang. Ketiga, informan yang menjadi stakeholder di madrasah diniyah di Kabupaten Pamekasan. Keempat, informan yang menjadi stakeholder di madrasah diniyah di Kabupaten Sumenep. Mengapa dipilah-pilah seperti ini karena masing-masing Kabupaten di Pulau Madura ini mempunyai karakter yang berbeda. Karakter yang berbeda tersebut misalnya Kabupaten Bangkalan biasanya para individunya berkarakter lebih keras daripada Kabupaten lainnya di Madura. Kabupaten pamekasan dikenal sebagai kota pendidikannya Pulau Madura sehingga secara karakter sangat berbeda dengan Kabupaten lainnya. Pada penggalan data lewat wawancara juga dilakukan dengan tokoh masyarakat baik para Kyai atau serta ustad dan ustadzah di sekitar madrasah diniyah yang concern studinya dalam pendidikan Islam.

Proses penelitian berlangsung tiga bulan yang dimulai dari desk-review, observasi lapangan, wawancara. Sebelum penelitian lapangan dilakukan dikumpulkan berbagai bahan sekunder, termasuk berita online, untuk melakukan pemetaan bagaimana membangun *good governance* dalam hukum administrasi pendidikan madrasah diniyah dalam masyarakat muslim pada tataran teks. Observasi dilakukan pada sejumlah madrasah diniyah dimana cerminan *good governance* dapat diamati secara langsung. Wawancara berlangsung di empat madrasah diniyah untuk tujuan perbandingan. Wawancara dilakukan di tempat masing-masing informan setelah terlebih dahulu mendapatkan persetujuan.

Analisis data dilakukan dalam dua bentuk. Pertama, pengolahan data mengikuti tahapan Huberman (Miles, Matthew dan Huberman, 2000, p. 15). Tahapan tersebut dimulai dari reduksi data pengamatan dan wawancara, display data yang dilakukan dalam bentuk summary dan synopsis berdasarkan tema-tema temuan lapangan, dan verifikasi data untuk proses penyimpulan. Kedua, analisis yang digunakan mengikuti teknik interpretasi yang dimulai dari "restatement" atas data yang ditemukan baik dari observasi maupun wawancara, diikuti dengan "description" untuk menemukan pola atau kecenderungan dari data, diakhiri dengan "interpretation" untuk mengungkapkan makna dari data yang telah dikumpulkan. Secara teknis yakni dengan menggunakan analisa pada variabel-variabel pertanyaan dalam wawancara, dipertajam dengan teori *good governance* dan teori hukum administrasi pendidikan dalam narasi penelitian kualitatif. Dengan beberapa segmentasi informan pada empat madrasah diniyah masyarakat muslim di Madura tersebut dan dengan cocoknya teori yang dipakai maka diharapkan hasil penelitian akan utuh dan setidaknya bisa menggambarkan situasi terkini terkait pendidikan Islam khususnya hukum administrasi madrasah diniyah dalam masyarakat muslim di Pulau Madura.

Result and Discussion

General Principles of Good Governance dan Asas-Asas Umum Pemerintahan Yang Baik Hukum Administrasi Pendidikan Islam

Dalam beberapa literatur, terdapat dua hal yang merupakan perwujudan good governance dalam konteks hukum administrasi. Kedua hal tersebut adalah general principles of good governance dan asas-asas umum pemerintahan yang baik. General principles ini sudah diakui bahkan telah dijadikan standar oleh empat lembaga internasional yakni EU, IMF, OECD, dan World Bank (Van Doeveren, 2011, p. 307). Sedangkan dalam asas-asas umum pemerintahan yang baik berdasarkan amanah konstitusi sebagaimana termaktub dalam pasal 53 ayat 2 huruf b UU nomor 9 Tahun 2004 Tentang Peradilan Tata Usaha Negara. Asas-asas ini menjadi tolak ukur dalam objek kajian hukum administrasi di Indonesia (Philipus M Hadjon dkk, 2012, p. 44). Oleh karena hal itu, tulisan ini akan membedah general principles dan asas-asas good governance dalam bingkai hukum administrasi madrasah diniyah.

Dalam konteks prinsip-prinsip umum pemerintahan yang baik beberapa lembaga dan para ahli mempunyai pandangan yang berbeda. Beberapa institusi misalmya World Bank menekankan pentingnya efektivitas dan efisiensi (van Doeveren, 2011, p. 308). Sementara itu EU, UN dan OCED menyatakan bahwasanya keterbukaan dan transparansi merupakan inti dari prinsip-prinsip umum good governance (van Doeveren, 2011, p. 309). Berbeda dengan lembaga-lembaga tersebut para ahli seperti Addink GH menganalisa beberapa negara di Eropa yang menerapkan beberapa prinsip seperti openness dan Integrity, Effectiveness dan Efficiency serta Accountability meskipun sebenarnya Addink lebih menempatkan prinsip Integrity dalam posisi teratas (Addink, 2018, p. 8). Berbeda dengan beberapa institusi dunia dan pakar di Eropa di atas, ahli hukum administrasi dan good governance seperti Philipus M Hadjon memberikan tawaran asas-asas umum pemerintahan yang baik sebagai korelasi terhadap hukum administrasi. Beberapa tawaran asas-asas tersebut adalah asas kepastian hukum, asas tertib penyelenggaraan negara, asas keterbukaan, asas proporsionalitas, asas profesionalitas dan asas akuntabilitas sebagaimana yang termaktub dalam Pasal 53 ayat 2 UU Nomor 9 Tahun 2004 Tentang Peradilan Tata Usaha Negara (Philipus M Hadjon dkk, 2012, pp. 44–45).

Berikut ini akan dipaparkan general prinsip tersebut sebagaimana dalam tabel 1 di bawah ini;

No	Jenis Perundang-Undangan	Pendidikan Umum (Secara Umum)	Pendidikan Islam; Madrasah Diniyah (Secara Khusus)	Coding; General Principles of Good Governance
1	UUD 1945	1. UUD 45 Pasal 28 c ayat 1 2. Pasal 31 ayat 5 UUD 45	Belum ada aturan secara spesifik	Rule of law, Strategic vision, Accountability, rule of law
2	TAP MPR	TAP MPR XV/MPR/1998	Belum ada aturan secara spesifik	Efektifitas, Efisiensi, rule of law
3	UU/Peraturan Pemerintah Pengganti UU	1. UU Nomor 4 tahun 1950 Jo UU nomor 19 Tahun 1954 Tentang Dasar-Dasar Pendidikan dan Pengajaran 2. UU Nomor 2 Tahun 1989 dan UU Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional 3. UU Nomor 14 Tahun 2005 Tentang Guru dan Dosen	UU Nomor 18 Tahun 2019 Tentang Pesantren	1. Dalam asas Rule of Law terdapat inkonsistensi dalam internal UU Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional dimana dalam Pasal 1 angka 5 jelas tertulis bahwa tenaga pendidikan secara

		<p>4. UU Nomor 12 Tahun 2012 Tentang Pendidikan Tinggi</p> <p>5. Undang-Undang Republik Indonesia Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah.</p>		<p>definitive adalah anggota masyarakat yang mengabdikan diri dan diangkat untuk menunjang penyelenggaraan pendidikan. Sementara itu dalam Pasal yang sama angka 6 disebutkan bahwasanya pendidik adalah tenaga kependidikan yang berkualifikasi sebagai guru, dosen, konselor, pamong belajar, widyaiswara, tutor, instruktur, fasilitator dan sebutan lain yang sesuai dengan kekhususannya serta berpartisipasi dalam menyelenggarakan pendidikan.</p> <p>2. Dalam asas Rule of Law terdapat inkonsistensi antar perundang-undangan sebagaimana dalam lampiran UU Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah. Dalam UU ini disebutkan bahwasanya Pemda telah mengubah kewenangan pengelolaan pendidikan menengah menjadi kewenangan Propinsi sebagai bentuk pembagian urusan pemerintahan yang bersifat konkuren yang berkaitan dengan pelayanan dasar wajib. Sementara dalam Pasal 50 Ayat 5 UU Sistem Pendidikan Nasional menyebutkan Pemerintah Kabupaten/Kota mengelola pendidikan dasar dan pendidikan menengah serta satuan pendidikan yang berbasis keunggulan lokal.</p>
4	Peraturan Pemerintah	PP Nomor 57 Tahun 2021 Tentang Standar Nasional Pendidikan	PP Nomor 55 Tahun 2007 Tentang Pendidikan Agama dan Pendidikan Keagamaan	Participation, equity, rule of law
5	Peraturan Presiden	Perpres Nomor 87 Tahun 2017 Tentang Penguatan Pendidikan Karakter	Belum ada Perpres secara khusus	Rule of law , equity, responsiveness
6	Peraturan Daerah/Provinsi	Perda Provinsi Jawa Timur Nomor 9 Tahun 2014 Tentang Penyelenggaraan Pendidikan	Untuk agama Islam terdapat pada Pasal 20 sampai 22	Equity, strategic vision, participation, openness
7	Peraturan Daerah/Kota	1. Perda Kabupaten Pamekasan Nomor 8 Tahun	1. Terkait pendidikan madrasah diniyah terdapat	

		2014 Tentang Sistem Penyelenggaraan Pendidikan. 2. Perda Kabupaten Bangkalan Nomor 6 Tahun 2015 Tentang Penyelenggaraan Pendidikan. 3. Perda Kabupaten Sampang Nomor 4 Tahun 2016 Tentang Sistem Penyelenggaraan Pendidikan. 4. Perda Kabupaten Sumenep Nomor 7 Tahun 2013 Tentang Sistem Penyelenggaraan Pendidikan	dalam Bab 1 Ketentuan Umum Pasal 1. 2. Hampir setiap bab ada 3. Hampir setiap bab ada 4. Hampir setiap pasal ada	
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Dalam konteks good governance ada beberapa karakteristik atau unsur yang mesti ada dalam tata kelola pemerintahan yang baik yakni participation, rule of law, transparency, responsiveness, consensus orientation, equity, effectiveness and efficiency, accountability, strategic vision. Berikut ini akan dibahas mengenai beberapa unsur atau karakteristik tersebut dalam kerangka dan hubungannya dengan hukum administrasi madrasah diniyah.

Pertama adalah rule of law. Rule of law disini maksudnya adalah bagaimana dalam sistem tata kelola pemerintahan yang baik harus ada kerangka hukum yang adil dan hukum harus dilaksanakan dalam semua lapisan masyarakat dan tanpa pandang bulu serta menjamin hak dasar umat manusia yakni hak asasi manusia (Philipus M Hadjon dkk, 2019). Posisi rule of law dalam konteks good governance ini sangat krusial mengingat tanpa adanya unsur ini maka bisa dipastikan bahwa sistem, tata kelola pemerintahan tidak akan bisa berjalan dengan baik karena unsur kepastian hukum telah dilanggar sebagaimana dalam UU Nomor 9 Tahun 2004 yang merupakan revisi pasal 53 UU Nomor 5 Tahun 1986 Tentang Peradilan Tata Usaha Negara. Sehingga dengan melihat tabel di atas maka secara gampang bisa kita analisis bahwasanya ada ketidakpastian hukum dalam internal aturan terkait pendidikan dimana masih banyak ditemukan UU dan Peraturan Daerah dan pasal-pasal yang saling bertentangan sebagaimana dalam tabel di atas. Hal ini mengindikasikan bahwa dalam konteks membangun tata kelola pemerintahan yang baik secara unsur atau karakteristik rule of law kita masih perlu ditata ulang khususnya terkait tumpang tindihnya kewenangan yang itu tercermin dalam kontradiksi aturan seperti UU dan Perda serta Pasal antar Pasal.

Unsur kedua yang sangat penting dalam konteks good governance adalah accountability. Sebagaimana dalam Amanah Pasal 2 huruf H UU Nomor 18 Tahun 2019 Tentang Pesantren disebutkan bahwasanya dalam pengelolaan pesantren termasuk di dalamnya aturan mengenai madrasah diniyah harus bersasaskan akuntabilitas. Asas akuntabilitas ini dimaksudkan agar segenap pengelolaan yang terkait kebijakan madrasah harus dilakukan dengan penuh tanggung jawab. Akuntabilitas inilah yang dikritik keras oleh Bank Dunia terhadap kebijakan pendidikan di Indonesia dimana Indonesia sangat lemah (Dandan Chen, 2011, p. 24) dalam akuntabilitas Lembaga-lembaga pendidikannya. Kelemahan tersebut disebabkan oleh dua hal yakni karena orang tua yang kurang ingin tahu terhadap kinerja para stake holder lembaga dan yang kedua adalah pihak sekolah juga kurang terbuka dalam melaporkan setiap kebijakan yang telah mereka lakukan (Dandan Chen, 2011, pp. 9–10). Sehingga dalam konteks membangun tata kelola pemerintahan yang baik aspek akuntabilitas ini masih menjadi pekerjaan rumah yang besar bagi setiap pemangku kebijakan di negara ini karena masalah akuntabilitas ternyata bukan hanya

persoalan yang terjadi dalam dunia pendidikan akan tetapi sudah menjadi persoalan sosial, ekonomi dan politik sejak lama.

Selanjutnya adalah *strategic vision*. Yang dimaksud *strategic vision* adalah para stake holder dan masyarakat juga harus punya keinginan yang sama dalam tujuan membangun sistem dan tata kelola pemerintahan yang baik. Sehingga berdasarkan definisi ini dapat disimpulkan bahwasanya haruslah terdapat sebuah Kerjasama yang baik atau integrasi (Ngainun Naim, Abdul Aziz, 2021, p. 112) antara pihak pengelola lembaga atau madrasah diniyah dengan masyarakat atau orang tua siswa sekitar dalam mengelola suatu pendidikan. *Strategic Vision* mempunyai posisi yang vital dikarenakan dua hal. Pertama secara struktur kelembagaan ia akan mempengaruhi pendidikan yang tingkatannya lebih tinggi. Kedua secara materil, kurikulum pendidikan yang sudah terintegrasi akan menjadi modal yang sangat berharga bagi anak didik sehingga bidang ilmu yang didapatkan akan menjadi struktur keilmuan yang utuh mulai dari jenjang dasar, menengah hingga atas bahkan sampai ke perguruan tinggi. Oleh karena itulah *strategic vision* dalam konteks integrasi pendidikan Islam pada umumnya dan madrasah diniyah pada khususnya merupakan dasar penting dalam mewujudkan *good governance*.

Management administratif dan Operatif Good Governance dalam Islamic Education

Berikut ini akan dijelaskan beberapa alasan mengapa administrasi pendidikan atau manajemen pendidikan sangat penting untuk dilakukan. Dalam beberapa studi di berbagai negara diketahui bahwasanya saat ini pemerintah sangat concern terhadap sektor ekonomi-politik dimana yang menjadi tumpuan dan tujuan tersebut adalah dengan realisasi pendapatan sektor pendidikan dimana sisi manajemen administrasi pendidikan menjadi kata kuncinya (Nurdin, 2020, p. 22). Dalam ruang lingkup manajemen administrasi pendidikan setidaknya ada dua pembahasan yang sangat penting. Pertama manajemen administratif, bidang kajian yang seringkali disebut sebagai *management of administrative function* ini dibuat agar semua orang dalam organisasi atau kelompok kerjasama mengerjakan hal-hal yang tepat agar tujuan bisa tercapai dengan baik. Kedua, manajemen operatif atau *management of operative function* yakni program-program yang dibuat agar bisa mengarahkan dan membina pekerjaan-pekerjaan yang dibebankan kepada setiap orang sehingga pekerjaan tersebut bisa terlaksana dengan tepat dan benar (Lias Hasibuan dkk, 2022, p. 5). Dalam beberapa literatur juga disebutkan bahwasanya kedua bidang di atas di breakdown lagi kedalam delapan bidang administrasi yakni Administrasi Kesiswaan, Administrasi Kurikulum, Administrasi Personalia (Pendidik dan Tenaga Pendidik), Administrasi Sarana dan Prasarana, Administrasi Humas (Hubungan Masyarakat dengan Sekolah), Administrasi Keuangan Sekolah, Administrasi Tata Laksana, Administrasi Layanan Khusus. Di bawah ini akan diuraikan penjelasan masing-masing administrasi tersebut.

Pertama adalah administrasi kesiswaan. Dalam konteks *good governance*, ada dua kondisi dalam administrasi kesiswaan yang sangat penting untuk dibangun. Pertama, secara definitif siswa atau dalam bahasa Undang-Undang nomor 20 Tahun 2003 Pasal 1 ayat 4 adalah peserta didik merupakan anggota masyarakat yang berusaha untuk mengembangkan potensi diri. Definisi ini tentunya mempunyai ruang lingkup yang sangat luas karena bahasa yang digunakan adalah anggota masyarakat yang notabene akan sangat banyak prolematikanya misalnya masyarakat yang mana, golongan apa, umur berapa dan lain sebagainya (Wae-U-seng et al., 2020, p. 505). Kedua, secara administratif ia juga akan menimbulkan adanya suatu pelanggaran (cari jurnal) dimana menurut Peraturan Menteri Pendidikan Nasional Nomor 41 Tahun 2007 Tentang Standar Proses Untuk Satuan Pendidikan Dasar dan Menengah bahwasanya harus ada standarisasi yakni SD/MI maksimal 28 peserta didik sedangkan untuk Tingkat SMP/MTS, SMA/MA, SMA/MAK adalah 32

peserta didik. Sehingga jumlah standarisasi ini memungkinkan adanya sebuah sistem kelola yang tidak baik yakni ketimpangan jumlah peserta didik yang dikarenakan bisa saja satu instansi dengan instansi yang lain memberlakukan ketentuan yang sangat berbeda karena situasi masyarakat sekitarnya akan berbeda. Oleh karena maka dalam tataran administrasi kesiswaan baik secara aturan perundang-undangan dan fakta sosial dalam masyarakat memerlukan penataan Kembali agar good governance dalam lingkup sekolah atau madrasah bisa terwujud dengan baik.

Kedua adalah administrasi kurikulum. Ada dua hal mendasar dan penting dalam administrasi kurikulum madrasah diniyah. Pertama, secara substansi, dalam beberapa literatur, kurikulum merupakan kegiatan yang meliputi perencanaan kurikulum, organisasi kurikulum, implementasi kurikulum dan evaluasi kurikulum (Samier & ElKaleh, 2019, p. 3). Lebih spesifik lagi kurikulum harus terdiri dari beberapa komponen yakni tujuan, isi, media, strategi, proses pembelajaran serta terakhir adalah penilaian. Kedua, secara kewenangan juga menjadi poin yang harus diperhatikan juga dalam usaha membangun sistem tata kelola pemerintahan yang baik (good governance). Hal ini dikarenakan kurikulum yang disusun oleh satuan pendidikan memungkinkan penyesuaian program sesuai dengan kebutuhan pada masing-masing daerah (Shaturaev, 2021). Hal ini memang diakui oleh beberapa kepala madrasah yang sebenarnya menyadari akan pentingnya kewenangan dalam menentukan kurikulum yang bisa diakomodir oleh pendidikan Islam khususnya bagaimana caranya agar kurikulum madrasah diniyah bisa mempunyai kualitas yang diakui (Ust. Hadi, 2022), (K. Mohammad Toyyib, 2022) sebagaimana sekolah umum lainnya. Dua hal inilah yang sebenarnya harus diperjelas dan betul-betul diaplikasikan agar keinginan pemerintah pusat dan daerah bisa sejalan dan tujuan pendidikan nasional bisa tercapai.

Ketiga adalah Administrasi Personalia (Pendidik dan Tenaga Pendidik). Administrasi personalia baik sisi pendidik dan tenaga pendidik merupakan dua hal penting yang harus dibenahi agar proses tata kelola pemerintahan yang baik dalam pendidikan Islam khususnya pada madrasah diniyah bisa berjalan dengan baik. Pertama, secara personalia ada aspek profesionalitas (Alhashmi & Moussa-Inaty, 2021, p. 3) yang menjadi kata kunci sesuai definisi pendidik dalam Pasal 39 UU Nomor 20 Tahun 2003. Unsur profesionalitas ini kemudian diperjelas dalam Pasal 171 PP Nomor 17 Tahun 2010 yang telah dirubah oleh PP Nomor 66 Tahun 2010 yang merinci masing-masing tenaga profesional tersebut dengan istilah guru, dosen, konselor, pamong belajar, widyaiswara, tutor, instruktur, fasilitator dan istilah pendidik yang lain. Sedangkan untuk tenaga pendidikan dalam PP Nomor 19 Tahun 2005 Tentang Standar Pendidikan Nasional disebutkan bahwasanya tenaga pendidik adalah tenaga yang bertugas merencanakan dan melaksanakan administrasi, pengelolaan dan pengembangan, pengawasan dan pelayanan teknis untuk menunjang proses pendidikan pada satuan pendidikan. Istilah tenaga yang bertugas ini kemudian diperinci oleh Pasal 173 PP Nomor 17 Tahun 2010 dengan sebutan atau istilah yakni pengelola satuan pendidikan, penilik, pengawas, peneliti, pengembang, tenaga perpustakaan, tenaga laboratorium, teknis sumber belajar, tenaga administrasi, psikolog, pekerja sosial, terapis, tenaga kebersihan dan keamanan dan sebutan lainnya yang bekerja pada satuan pendidikan. Kedua, secara kegiatan membutuhkan asas keterbukaan karena dalam administrasi personalia urutan kegiatan mulai dari perencanaan, rekrutmen, pembinaan dan pengembangan pegawai, promosi dan mutasi, kompensasi pegawai, penilaian pegawai, pemberhentian pegawai merupakan proses yang panjang dan melibatkan banyak pihak. Terkait aspek keterbukaan ini madrasah diniyah memang harus diakui memiliki kekuatan ini, sebagai contoh mereka para pengelola madrasah membayar gaji guru dengan sistem bisyaroh yang jumlahnya di bawah standar akan tetapi dengan adanya keterbukaan mereka menerima ini dengan ikhlas (K. Ahmad Qusyairi, 2022). Sehingga dalam konteks good governance, administrasi personalia baik pendidik dan tenaga pendidik harus dibangun

profesionalitas dan asas keterbukaan agar tujuan pendidikan nasional khususnya dalam madrasah diniyah dapat tercapai.

Keempat adalah Administrasi Sarana dan Prasarana. Secara substansi ada dua hal mendasar yang perlu ditata ulang dalam administrasi sarana dan prasarana pendidikan. Pertama hal yang harus dibangun secara fisik yakni sesuai dengan Amanah dalam PP Nomor 19 Tahun 2005 Tentang Standar Pendidikan Nasional dan PP Nomor 24 Tahun 2017 Tentang Standar Sarana dan Prasarana untuk SD/MI, SMP/MTs, dan SMA/MA bahwa sarana pendidikan sekurang-kurangnya harus berdiri secara fisik seperti ruang kelas, ruang perpustakaan, laboratorium, ruang pimpinan, ruang guru, ruang TU, tempat ibadah, ruang konseling, ruang UKS, ruang organisasi kesiswaan, jamban, ruang sirkulasi dan tempat bermain atau olahraga. Kedua, secara non fisik (*road map*), yang perlu dibangun adalah perencanaan pengadaan sarana dan prasarana, pengadaan sarana dan prasarana, pemeliharaan, inventarisasi, penghapusan sarana dan prasarana serta pengawasan sarana dan prasarana (Shobirin & Fauzi, 2021). Kondisi ini memang disadari oleh beberapa lembaga pendidikan Islam di Madura yang notabene merupakan masyarakat agamis dimana cenderung menerima kondisi sarana dan prasarana yang sederhana baik dari sisi fisik bangunan sekolah, ruang kelas dan fasilitas-lainnya seperti perpustakaan memang sangat tidak layak bahkan bisa dikatakan tidak ada (Ust. Rahman, 2022), (Ust. Hadi, 2022), (K. Mohammad Toyyib, 2022). Sehingga ke depan sangat perlu kiranya bagaimana melakukan sebuah tata kelola yang baik yang dimulai dari aspek sarana dan prasarana yang standar agar pendidikan Islam khususnya di wilayah masyarakat muslim menjadi layak secara fisik bukan hanya layak secara non fisik.

Kelima adalah Administrasi Humas (Hubungan Masyarakat dengan Sekolah). Hubungan masyarakat seperti apa yang perlu dibangun agar tata kelola pendidikan bisa berjalan dengan baik. hubungan tersebut setidaknya bisa dilihat dalam dua hal yakni ; pertama wujud hubungan masyarakat sebagaimana yang termaktub dalam Pasal 54 UU nomor 20 Tahun 2003 Tentang Pendidikan Nasional dijelaskan bahwasanya peran serta masyarakat terhadap sekolah bisa berupa peran serta perseorangan, kelompok, keluarga, organisasi profesi, pengusaha, dan organisasi kemasyarakatan dalam penyelenggaraan dan pengendalian mutu pelayanan pendidikan. Kedua pada tataran aplikatifnya hubungan masyarakat ini bisa berupa gagasan, kritik membangun serta dukungan dan pelaksanaan pendidikan. Secara lebih rinci hubungan masyarakat dengan sekolah bisa dilihat dalam Pasal 56 ayat 3 UU Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional terkait peran dewan pendidikan dan komite sekolah. Lebih lanjut dijelaskan bahwasanya peran dewan pendidikan adalah sebagai pemberi pertimbangan, arahan, dan dukungan tenaga, sarana prasarana serta pengawasan pendidikan baik pada tingkat nasional, provinsi, kabupaten/kota. Sedangkan untuk komite sekolah perannya dapat dilihat dalam empat hal yakni sebagai pemberi bahan pertimbangan, pendukung, pengontrol dan mediator (Sofyan et al., 2019, p. 21). Terkait hubungan masyarakat ini lembaga pendidikan Islam merupakan lembaga yang sangat concern dalam melakukan pendekatan kepada masyarakat sekitar. Hal ini dilakukan karena memang sejak munculnya lembaga-lembaga pendidikan Islam karena keinginan masyarakat sendiri. Secara teknis biasanya beberapa kelompok masyarakat *sowan* (Ust. Hadi, 2022) kepada ulama dan kiai untuk kemudian membuat suatu lembaga pendidikan Islam agar lebih mudah dalam menyebarkan agama Islam secara lebih sistematis.

Keenam adalah Administrasi Keuangan Sekolah. Perihal keuangan dalam sistem tata kelola madrasah diniyah memang diakui sangat terbatas. dikatakan terbatas maksudnya adalah baik dana yang dikelola dan sistem manajemen masih dilakukan secara manual dan mandiri. Misalnya dana yang didapat dari iuran siswa dan dana dari donatur biasanya hanya digunakan untuk sekedar memberikan bisyaroh atau gaji kepada para ustadz atau guru yang jumlahnya tidak

seberapa. Dana tersebut juga misalnya terdapat kelebihan maka akan digunakan untuk kemaslahatan lembaga yakni untuk membangun gedung, ruang kelas dan fasilitas lain yang dirasa perlu (Ust. Hadi, 2022), (K. Mohammad Toyyib, 2022), (K. Ahmad Qusyairi, 2022), (Ust. Subhan, n.d.). Padahal sesungguhnya sistem tata kelola administrasi keuangan lembaga pendidikan secara ideal adalah adanya suatu teknis aturan pengelolaan yang jelas mulai dari lembaga negara seperti kementerian hingga sampai kepada lembaga atau unit kecil di daerah seperti Provinsi dan Kabupaten. Dalam konteks ini beberapa studi di Asia Tenggara menghasilkan temuan yang cukup mencengangkan bahwasanya sistem tata kelola keuangan khususnya dalam lembaga pendidikan Islam belum terlaksana dengan baik (Shaturaev, 2021, pp. 60–61). Sehingga kiranya ke depan sangat perlu dan segera untuk dilakukan koordinasi antar lembaga baik di tingkat pusat dan daerah dalam rangka menciptakan suatu sistem tata kelola yang baik khususnya dalam bidang keuangan lembaga pendidikan Islam.

Ketujuh adalah Administrasi Tata Laksana. Satu elemen penting yang biasanya luput dari perhatian pemerhati pendidikan adalah administrasi tata laksana atau lebih dikenal tata usaha. Tata usaha secara administratif merupakan proses kegiatan yang dilaksanakan secara sungguh-sungguh dalam rangka membina kegiatan-kegiatan yang berupa tulis menulis, surat menyurat baik itu dengan cara menghimpun, mengelola, menggandakan serta menyimpan semua bahan keterangan yang diperlukan dalam suatu organisasi (Franken, 2017, p. 5). Secara substatif administrasi ini menjadi sangat krusial terutama ketika suatu lembaga pendidikan ingin melakukan evaluasi atau akreditasi. Administrasi tata usaha ini seakan menjadi ujung tombak dalam mengelola dan menjadikan satuan pendidikan tersebut menjadi lembaga yang unggul sehingga dengan lembaga yang unggul dapat menjadi pilihan utama masyarakat dalam mempercayakan anak-anaknya untuk menimba ilmu di lembaga tersebut (Wae-U-seng et al., 2020, p. 505), (Franken, 2017, p. 4). Dalam konteks ini madrasah diniyah dalam masyarakat muslim khususnya di Madura lebih menekankan substansi materi bahan ajar di sekolah, sehingga aspek administrasi tata laksana ini seperti kegiatan surat menyurat dan lain sebagainya memang sangat tidak diperhatikan (Ust. Subhan, n.d.). Hal ini menunjukkan bahwasanya terkait sistem administrasi tata laksana sistem pendidikan Islam khususnya di madrasah diniyah memang sangat perlu untuk dilakukan evaluasi demi sistem tata kelola yang baik.

Kedelapan adalah Administrasi Layanan Khusus. Layanan khusus yang dimaksud disini adalah perpustakaan, Koperasi Sekolah, Kafetaria Sekolah. Layanan khusus perpustakaan menjadi sangat krusial karena ia adalah sumber belajar. Dalam konteks good governance, perpustakaan harus dilihat dalam dua makna penting. Pertama, perpustakaan harus menyediakan fasilitas lengkap, hal ini bisa dimulai dari kegiatan pengadaan koleksi, pembelian, hadiah/sumbangan, pertukaran koleksi dengan perpustakaan yang lain, penggandaan atau reproduksi, laporan hasil kegiatan, teknik pengadaan koleksi, jaringan informasi dan berbagai sumber, pemeliharaan koleksi, tindakan pencegahan, tindakan penanggulangan. Kedua, adalah peran aktif guru (Memon, 2011, p. 288) dalam memanfaatkan berbagai fasilitas perpustakaan ini antara lain memilih buku yang cocok untuk peserta didik sehingga peserta didik mempunyai sumber belajar yang jelas. Selain perpustakaan ada juga koperasi sekolah, kafetaria sekolah dan UKS (Unit Kesehatan Sekolah). Terkait peran aktif guru ini sebenarnya sudah dilakukan oleh beberapa lembaga madrasah di Madura yakni para guru atau ustadz melakukan sistem pembelajaran langsung di kelas atau yang disebut dengan sistem belajar *bandongan* dan juga melakukan sistem pembelajaran satu-satu dengan murid atau yang lebih dikenal dengan sistem belajar *sorogan* (K. Mohammad Toyyib, 2022). Terbukti dengan kedua sistem belajar ini madrasah diniyah dalam pendidikan Islam bisa menghasilkan murid yang berkualitas terutama dari sisi

hafalan sehingga membuat lembaga pendidikan Islam bisa bertahan di era moderan saat ini. Berikut ringkasan manajemen administrative dan operative tersebut pada beberapa lembaga pendidikan Islam dalam masyarakat muslim Madura sebagaimana yang ditunjukkan dalam tabel 2 di bawah ini.

No	Good Governance; Administrative and Operative Management	<i>Madrasah Diniyah Nasyrul 'ilmi Bangkalan</i>	<i>Madrasah Diniyah Nurul 'ilmi Sampang</i>	<i>Madrasah Diniyah Nahdatul Islamiyah Pamekasan</i>	<i>Madrasah Diniyah Nurul Islam Sumenep</i>
1	<i>Student Administration</i>	√	√	×	√
2	<i>Curriculum Administration</i>	√	×	√	√
3	<i>Educators Personnel Administration</i>	√	√	√	√
4	<i>Facility and Infrastructure Administration</i>	×	×	√	√
5	<i>Public Relation Administration</i>	√	√	√	√
6	<i>School Financial Administration</i>	×	×	×	√
7	<i>Managemen Administrative</i>	×	×	×	×
8	<i>Special Services Administration</i>	√	√	√	√

□

Moral integrity: Fundamental value of good governance of Islamic education

Dalam konteks pendidikan Islam, integritas moral yang dimaksud bermuara pada satu hal yakni akhlaq. Dalam bahasa lain integritas moral ini sering diistilahkan sebagai norma atau etika (Mohamed, 2014, p. 316). Menurut salah satu Kepala Madrasah Diniyah di Kabupaten Pamekasan persoalan etika atau akhlaq ini menjadi salah tujuan lembaga ini didirikan, yakni menciptakan suatu masyarakat yang mempunyai perilaku yang baik (bagus akhlaqnya) (K. Mohammad Toyyib, 2022). Lebih rinci lagi salah satu Kepala Madrasah di Kabupaten Bangkalan mengatakan bahwasanya sesekali Madrasah melakukan istighosah kubro (K. Ahmad Qusyairi, 2022). Istighosah ini merupakan kegiatan doa Bersama yang dilakukan oleh semua stake holder baik itu masyarakat, orang tua siswa, seluruh guru. Harapan adanya kegiatan istighosah kubro ini yakni agar semua program dan kegiatan belajar mengajar dapat berjalan dengan baik dan mendapat ridho Allah swt. Aspek etika ini dalam masyarakat muslim menjadi simbol dalam pemahaman agama Islam. Sehingga kemudian muncul sebuah perumpamaan yakni jika akhlaqnya baik maka ilmunya tinggi, akan tetapi sebaliknya jika akhlaqnya tidak baik maka cenderung masyarakat menganggap bahwa orang tersebut tidak mempunyai ilmu. Hal ini menunjukkan bahwasanya masyarakat muslim secara praktik telah berhasil mengaplikasikan pemahaman keagamaan mereka dalam

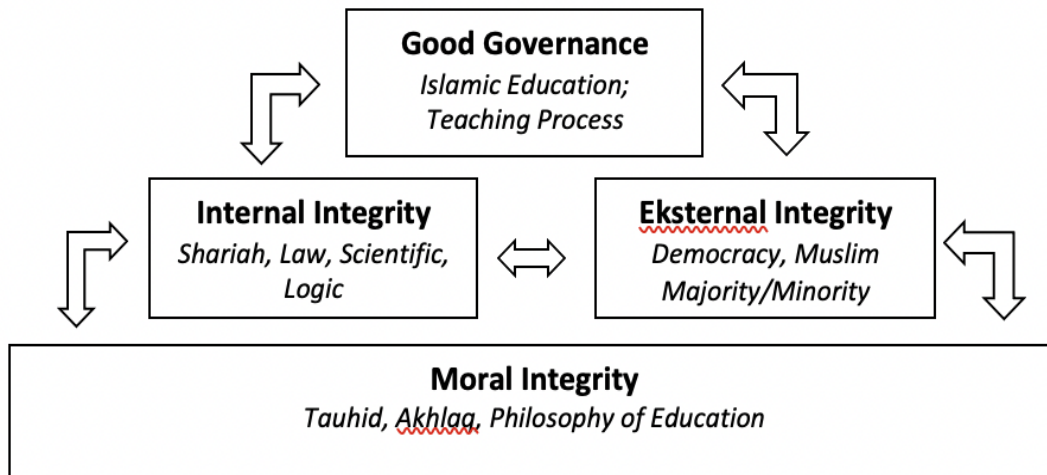
wujud integritas internal menuju integritas eksternal yang termanifestasi dalam sebuah lembaga pendidikan Islam atau Madrasah.

Konsepsi integritas moral di atas memang sangat ideal dalam rangka mewujudkan suatu pemerintahan yang baik atau *good governance* dalam institusi pendidikan Islam. Namun pada praktik di lapangan tujuan tersebut memiliki banyak tantangan. Beberapa diantara tantangan tersebut adalah tidak adanya suatu standart aturan yang jelas mengikat mereka, misalnya ketika seorang ustadz memberikan suatu hukuman kepada murid di kelas berupa tangannya dipukul, berdiri di kelas (Ust. Hadi, 2022) dan lain sebagainya. Beberapa literatur memang mempersoalkan terkait objektifikasi sistem pembelajaran Islam ini, bahkan menyebut bahwa sistem hukuman di kelas seperti ini melanggar HAM (Saada & Gross, 2017, p. 10), (Addink, 2018, p. 7). Sehingga dalam menyikapi hal ini tentunya konsepsi integritas moral yang merupakan dimensi tauhid maka harus diikuti oleh dimensi syariah atau aturan hukum yang bisa menaungi segenap sistem pembelajaran yang dilakukan dalam institusi pendidikan Islam. Sehingga ruang hukum yang kosong ini mestinya diisi oleh aturan yang islami juga yang lahir dari aspek internal sendiri yakni hukum Islam atau syariah bukan yang lahir dari pemahaman yang ada di luar Islam seperti HAM dan lain sebagainya.

Integritas moral ini jika dibahas lebih detail lagi harus mampu menjawab secara ilmiah (Saada & Gross, 2017, p. 5), (Sumardi et al., 2022, p. 258) mengapa ajaran Islam yang diimplementasikan dalam institusi pendidikan Islam. Jawaban ilmiah dari pertanyaan mengapa aspek barokah, mencium tangan guru, salaman, dan bahkan hukuman bagi siswa madrasah yang tidak hafal nadhoman alfiyah (Ust. Hadi, 2022) harus dihukum berdiri memang layak dan logis untuk dilakukan. Menjawab tantangan ini sangat penting mengingat sebenarnya persoalan proses pendidikan dalam Islam secara filosofis berkaitan dengan nalar dan moral (Al-Rsa'i, 2018, p. 5). Oleh karena itu perihal tantangan dalam proses pendidikan Islam ini harus benar-benar menjadi medan jihad dan perjuangan untuk selalu mengedepankan aspek ilmiah dan penjelasan secara logis terkait semua hal yang berkaitan dengan proses pendidikan terutama di Institusi Islam. Jika ini tidak direspon dengan baik maka lambat laun dan pasti pendidikan Islam akan mulai ditinggalkan karena sudah sesuai dengan lingkungan modern saat ini yang lebih mengedepankan logika.

Dalam kerangka yang lebih luas lagi, integritas moral yang harus dibangun adalah bagaimana menciptakan suatu ekosistem pendidikan yang Islami dalam sebuah struktur negara demokrasi seperti Indonesia ini. Struktur ini sebenarnya sudah dilakukan mulai dari tahapan yang paling bawah yakni sebagaimana yang terjadi di beberapa Kabupaten di masyarakat muslim Madura. Misalnya sebagaimana yang dilakukan sebuah lembaga Islam di Kabupaten Pamekasan yakni Madrasah Diniyah Nahdhatul Islamiyyah yang sudah meangaplikasikan kegiatan Imtihan (K. Ahmad Qusyairi, 2022), (Ust. Hadi, 2022), (Ust. Rahman, 2022). Dalam kegiatan yang dilakukan pada akhir tahun pembelajaran ini, pihak Madrasah mengajak seluruh lapisan masyarakat baik itu orang tua siswa, masyarakat sekitar, para tokoh masyarakat, para pejabat untuk terlibat dalam kegiatan akbar ini. Pada acara imtihan ini diselenggarakan berupa lomba antar siswa, beberapa kegiatan lain seperti pawai bahkan pada puncak malam terkahir acara diadakan sebuah acara ceremonial mulai dari doa-doa hingga pemberian hadiah bagi siswa berprestasi. Pada acara imtihan ini juga secara tidak langsung telah menggerakkan roda perekonomian masyarakat sekitar mengingat kegiatan tersebut dilakukan selama beberapa hari dengan melibatkan banyak pedagang kaki lima, asongan dan lain sebagainya. Hal ini menunjukkan bahwasanya pendidikan Islam sebagaimana yang terjadi dalam masyarakat muslim telah menemukan sebuah distingsi (Saada & Gross, 2017, p. 7), (Saada, 2020, p. 3) dan melakukan sebuah adaptasi dalam sebuah negara demokrasi modern. Adaptasi ini sangat penting untuk dilakukan sebagai sebuah usaha untuk

membangun sistem tata kelola yang baik dalam bidang pendidikan Islam dimana banyak asumsi yang menyatakan bahwasanya dalam negara demokrasi sangat sulit (Saada, 2020, p. 5) menerapkan sistem pendidikan Islam yang baik. Untuk lebih jelasnya terkait integritas moral sebagai nilai dasar yang perlu dibangun dalam konteks good governance pendidikan Islam maka di bawah ini disajikan dalam bentuk tabel.



Kesimpulan

Tulisan ini menyimpulkan tiga hal yakni, pertama secara prinsip-prinsip umum good governance dan asas-asas umum pemerintahan yang baik beberapa lembaga pendidikan Islam di Madura telah memparaktikkan prinsip-prinsip dan asas-asas tersebut. Prinsip-prinsip dan asas-asas yang sudah diaplikasikan adalah prinsip rule of law, strategic vision, accountability, openness, equity, participation, responsiveness. Kedua ada dua lembaga lembaga pendidikan Islam atau madrasah diniyah di Kabupaten Sumenep dan Pamekasan yang telah memenuhi beberapa kriteria dalam manajemen administratif dan operatif sehingga meskipun beberapa hal belum terpenuhi akan tetapi setidaknya ini bisa menjadi gambaran bagaimana secara administratif lembaga pendidikan Islam ke depan agar bisa lebih baik lagi terutama dalam administrasi fasilitas atau sarana prasarana, administrasi keuangan dan manajemen administrasi lainnya. Ketiga, dalam rangka mewujudkan sistem tata kelola pemerintahan yang baik dalam pendidikan Islam diperlukan adanya sinergitas yang sifatnya fundamental yakni adanya internal integrity dan eksternal integrity yang disokong oleh fondasi utama yakni tauhid dan akhlaq sebagai moral integrity. Moral integrity ini sudah dimulai dan bahkan menjadi fondasi dasar lembaga-lembaga pendidikan Islam hanya saja mungkin yang kurang adalah menemukan internal integrity berupa scientific-logic dalam proses pendidikan di zaman modern seperti saat ini. Jika internal integrity yang sifatnya scientific-logic sudah ditemukan dan diaplikasikan maka bukan menjadi tidak mungkin lembaga-lembaga pendidikan Islam akan menjadi setara lebih unggul dibandingkan dengan lembaga pendidikan umum lainnya.

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Do Governance of Decentralization Autonomy Regulation Affect Islamic Education Technological Innovation: Evidence from Muslim Countries

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Abstract:

Pemaknaan terhadap pendidikan Islam (madrasah diniyah) sebagai representasi lembaga Pendidikan Islam selalu memperlihatkan kontroversi. Kontroversi tersebut bisa dilihat dalam dua sisi. Di satu sisi, madrasah diniyah dianggap sebagai lembaga pendidikan agama nomor dua setelah pendidikan umum. Sedangkan di sisi yang lain madrasah diniyah juga dianggap sebagai lembaga pendidikan yang sangat berkontribusi terhadap kemerdekaan negara ini. Anehnya dalam dua dekade ini lembaga pendidikan Islam cenderung dan hampir selalu dikaitkan dengan stigma negatif seperti banyaknya kasus terorisme, intoleran dan lain-lain. Perbedaan pemahaman telah menimbulkan kesulitan dalam usaha membangun sebuah *good governance* atau sistem tata kelola pemerintahan yang baik dalam dunia Pendidikan di Indonesia terutama dalam sisi aturan atau hukum administrasinya (arti penting fenomena). Sejalan dengan itu, tulisan ini selain memetakan bentuk *good governance* yang dimaksud dalam kelompok masyarakat muslim juga menganalisis hukum administrasinya. Tulisan ini didasarkan pada data yang dikumpulkan dari hasil wawancara pada empat Lembaga di empat Kabupaten di Madura. Hasil penelitian memperlihatkan bahwa beberapa nilai, asas, serta prinsip-prinsip *good governance* telah dilakukan dengan baik oleh salah satu lembaga pendidikan Islam yakni madrasah diniyah dalam masyarakat muslim di Madura. Prinsip-prinsip umum *Good governance* dan manajemen administratif dan operatif yang sudah dipraktikkan dalam lembaga pendidikan Islam pada masyarakat muslim telah menjadi faktor pembeda dan mempunyai kontribusi penting dalam membangun dunia Pendidikan di Indonesia. Tulisan ini menyarankan perlunya perluasan kasus yang diteliti dan penambahan sumber data untuk memungkinkan dipahaminya *good governance* pada dunia Pendidikan Indonesia khususnya pada lembaga pendidikan Islam di masa yang akan datang secara mendalam dan komprehensif.

Keywords: *Good Governance; Hukum Administrasi; Pendidikan Madrasah Diniyah; Masyarakat Muslim*

1. Introduction

Filosofis manajemen/pengelolaan pendidikan Islam di Indonesia

Pendidikan di Era Otonomi Daerah

Pemerataan kualitas, SDM dan Infrastruktur Pendidikan Islam

Kondisi nyata pendidikan Islam di Indonesia (regulasi dan pemahaman masyarakat)

Bagaimana peran pemerintah (*good governance*) apakah telah terstandar?

Bagaimana pengelolaan yang baik dari negara lain?

Dalam kacamata hukum, lembaga Pendidikan Islam termasuk di dalamnya madrasah diniyah selama ini berada dalam posisi kasta kedua setelah institusi pendidikan umum. Dari segi aturan misalnya hanya terdapat setidaknya 3 aturan sebagai dasar hukum madrasah diniyah. Beberapa aturan tersebut diantaranya adalah UU Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional, PP Nomor 19 Tahun 2005 Tentang Standar Nasional Pendidikan serta PP Nomor 55 Tahun 2007 Tentang Pendidikan Agama dan Pendidikan Keagamaan.(Hamdanah, 2019, p. 46). Selain tiga aturan tersebut juga terdapat aturan yang baru terkait pesantren yakni UU Nomor 18 Tahun 2019 Tentang Pesantren. Sedangkan secara administrasi hanya ada 2 daftar aturan yang secara administratif tertulis menurut himpunan aturan hukum administrasi negara yakni terkait dasar-dasar Pendidikan dan Pengajaran di sekolah dan pengawasan Pendidikan dan pengajaran asing.(Philipus M Hadjon dkk, 2019, p. 37) Itupun untuk kedua aturan terakhir ini masih dalam lingkup Pendidikan Umum yang bisa mencakup Pendidikan Islam dan dan Umum atau non Islam. Fakta-fakta diatas berbanding terbalik dengan Pendidikan umum dimana banyak sekali ditemukan berbagai aturan yang memayungi Pendidikan umum. Beberapa aturan tersebut adalah UUD 45 Pasal 28 c ayat 1, Pasal 31 ayat 5 UUD 45, UU Nomor 4 tahun 1950 Jo UU nomor 19 Tahun 1954 Tentang Dasar-Dasar Pendidikan dan Pengajaran , UU Nomor 2 Tahun 1989 dan UU Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional, UU Nomor 14 Tahun 2005 Tentang Guru dan Dosen, UU Nomor 12 Tahun 2012 Tentang Pendidikan Tinggi dan aturan-lainnya. Fakta fakta ini menunjukkan satu hal bahwasanya telah terjadi tata kelola yang timpang dalam sistem Pendidikan di Indonesia khususnya ketimpangan dalam sisi aturan atau hukum administratif Madrasah Diniyah. Oleh karena tulisan ini ingin melakukan Analisa terkait sistem tata kelola yang baik (*Good Governance*) dalam bidang bidang Pendidikan khususnya terkait Madrasah Diniyah.

Dalam beberapa literatur, sejarah kemunculan istilah *good governance* sangat bertolak belakang dengan Madrasah Diniyah sebagai representasi Lembaga Pendidikan Islam. Hal kontradiktif ini memang harus diakui mengingat istilah *good governance* lahir dari masyarakat liberal yang berorientasi pada pasar (Philipus M Hadjon dkk, 2012, p. 2). Fakta ini semakin menegaskan bahwasanya posisi madrasah diniyah yang notabene sebagai manifestasi Lembaga Pendidikan Islam sangat kontra produktif dengan sistem tata kelola negara yang baik (*good governance*) dimana paradigma liberal dan agamis itu merupakan dua variabel yang sangat bertentangan. Akan tetapi fakta kontradiktif tersebut menarik untuk dikaji ulang karena secara filosofi (Al-Rsa'i, 2018, p. 3)pendidikan Islam mempunyai banyak distingsi dimana perbedaan inilah yang sebenarnya menjadi ruang diskusi dan penelitian lebih lanjut.

Dalam beberapa literatur, tulisan mengenai madrasah diniyah sebagai representasi Pendidikan Islam cenderung memperlihatkan posisi yang kurang pas bahkan dikenal sebagai Lembaga Pendidikan yang non formal akan tetapi mempunyai peran yang sangat signifikan secara demografi (Tedi Priatna, 2020, p. 1). Fakta tersebut memperlihatkan bahwasanya dalam konteks administrasi memang perlu adanya suatu sistem tata kelola pemerintahan yang baik. Sistem tata kelola ini merupakan hal ini sangat penting mengingat Madrasah Diniyah mempunyai posisi yang penting dan berpotensi apalagi jika dilihat berdasarkan data demografi. Fakta lain terkait madrasah diniyah memang ditemukan suatu kebijakan yang kurang berpihak pada pemerintah lokal atau lebih mementingkan penyelenggaraan Pendidikan pemerintah pusat (Badrudin, 2017, p. 17). Sehingga dengan fakta-fakta di atas banyak pihak yang memandang perlu untuk mereformasi sistem Pendidikan nasional kita secara menyeluruh. Reformasi ini ada yang menyebutnya dengan istilah rekonstruksi, integrasi agar lebih moderat dan lain sebagainya (Cecep Darmawan, 2021, p. 31), (Ngainun Naim, Abdul Aziz, 2021, p. 108). Kondisi-kondisi tersebut di atas memperlihatkan

bahwasanya sistem penyelenggaraan Pendidikan kita sebenarnya mempunyai masalah urgen yang harus dipecahkan segera. Urgensitas tersebut yakni bagaimana membangun sistem tata kelola penyelenggaraan Pendidikan yang baik atau *good governance* demi sebuah cita-cita besar di masa yang akan datang yang sesuai amanat UUD 45 sebagaimana yang termaktub jelas dalam pembukaan yakni mencerdaskan kehidupan bangsa.

Tulisan ini bertujuan melengkapi kekurangan studi-studi terdahulu yang kurang memperhatikan tata kelola yang baik khususnya dalam bidang administrasi madrasah diniyah. Secara lebih spesifik tulisan ini menunjukkan bahwa dalam membangun tata kelola pemerintahan yang baik (*good governance*), madrasah diniyah telah melaksanakan dengan baik segala aturan yang ditentukan oleh pemerintah meskipun aturan-aturan tersebut masih menganggap madrasah diniyah sebagai Pendidikan kelas dua setelah Pendidikan umum. Sejalan dengan itu maka ada tiga pertanyaan dalam tulisan ini: (a) Bagaimana wujud *good governance* dalam hukum administrasi madrasah diniyah; (b) Faktor apa yang menjadi dasar perlunya dibangun *good governance* dalam hukum administrasi madrasah diniyah; (c) Bagaimana implikasi adanya *good governance* terhadap hukum administrasi madrasah diniyah khususnya bagi masyarakat muslim di Madura. Jawaban atas ketiga pertanyaan memungkinkan dipahaminya dasar-dasar pemikiran yang digunakan sebagai landasan kepatuhan masyarakat muslim terhadap aturan administrasi pendidikan Islam di Indonesia.

Tulisan tentang bagaimana membangun *good governance* dalam hukum administrasi madrasah diniyah ini didasarkan pada suatu argumen bahwa masyarakat memiliki landasan ideologis dan praktis yang mempengaruhi beberapa bentuk persoalan dalam bidang manajemen pendidikan Islam. Hukum yang sudah berjalan dalam masyarakat muslim pun tidak ditanggapi secara seragam oleh berbagai individu yang berbeda. Sebagian menggunakan agama sebagai landasan ideologi dalam membaca dan memahami apa yang sedang terjadi. Sebagian yang lain menggunakan ilmu pengetahuan dan kondisi sosial sebagai dasar mengambil sikap terhadap persoalan yang sedang mereka hadapi termasuk juga dalam masalah hukum administrasi madrasah diniyah ini. Perbedaan kelompok dengan perbedaan landasan pemikiran masing-masing telah menjadi faktor penting yang menyebabkan tegaknya *good governance* dalam aturan administrasi madrasah diniyah dalam masyarakat muslim.

2. Research Method

Building *good governance* hukum administrasi madrasah diniyah atau pendidikan Islam dipilih sebagai subjek pembicaraan tulisan ini dengan mempertimbangkan tiga hal. *Pertama*, pembahasan membangun tata kelola pemerintahan yang baik dalam hukum administrasi pendidikan madrasah diniyah merupakan tema penting dalam pendidikan yang belum banyak diperhatikan dalam studi-studi sebelumnya. *Kedua*, membangun tata kelola pemerintahan yang baik menjelaskan tentang adanya keharusan dalam mengkonstruksi hubungan yang baik antara pemerintah dengan masyarakat, dan untuk mencapai ini membutuhkan suatu pemahaman seksama. Oleh karena itu alasan membangun tata kelola pemerintahan yang baik dalam hukum administrasi madrasah diniyah perlu diungkapkan. *Ketiga*, adanya tata kelola pemerintahan yang baik menjadi dasar atas fenomena yang terjadi dalam dunia pendidikan Islam khususnya dalam manajemen hukum administrasi madrasah diniyah. Fenomena ini membutuhkan pemetaan untuk memungkinkan dirumuskan tindakan nyata. Oleh karena hal itu maka ketiga alasan dipilihnya isu building *good governance* sebagai pokok pembicaraan tulisan adalah untuk memberikan pemahaman yang komprehensif dan insight bagi pemecahan masalah khususnya terkait hukum administrasi madrasah diniyah.

Penelitian ini bersifat kualitatif yang bersandar pada data primer dan sekunder. Data primer diperoleh dari studi lapangan untuk mengamati langsung dan dari pemetaan aspek-aspek penelitian. Data yang dibutuhkan terdiri dari data wujud, faktor, dan implikasi. Wujud *good governance* menyangkut pola-pola perbedaan aturan baik pada tataran pengetahuan, nilai dan praktik sosial khususnya dalam bidang pendidikan Islam. Berbagai tindakan yang memperlihatkan adanya perbedaan dalam interpretasi dipetakan dalam penelitian. Faktor yang menjadi dasar *good governance* dipetakan menurut faktor agama, dan faktor sosial dan pendidikan yang bersifat praktis. Alasan-alasan praktis dapat menjadi dasar adanya perbedaan dalam interpretasi. Data terkait implikasi adanya *good governance* juga dipetakan, khususnya terkait bagaimana *good governance* melahirkan pemahaman, sistem dan tata kelola yang berbeda antara pendidikan Islam dan pendidikan umum.

Data dalam tulisan ini dikumpulkan dari hasil Wawancara, pada empat institusi yang berbeda dalam masyarakat muslim dengan memetakan karakteristik struktural dalam masyarakat muslim kelompok agamis pada empat lembaga pendidikan Islam di Pulau Madura. Untuk wawancara penulis melakukan deep interview dengan empat madrasah diniyah dengan karakteristik struktural yang dimaksud adalah *pertama* informan yang menjadi stakeholder baik guru dan pengelola madrasah diniyah di Kabupaten Bangkalan. Kedua informan yang menjadi stakeholder di madrasah diniyah di Kabupaten Sampang. Ketiga, informan yang menjadi stakeholder di madrasah diniyah di Kabupaten Pamekasan. Keempat, informan yang menjadi stakeholder di madrasah diniyah di Kabupaten Sumenep. Mengapa dipilah-pilah seperti ini karena masing-masing Kabupaten di Pulau Madura ini mempunyai karakter yang berbeda. Karakter yang berbeda tersebut misalnya Kabupaten Bangkalan biasanya para individunya berkarakter lebih keras daripada Kabupaten lainnya di Madura. Kabupaten pamekasan dikenal sebagai kota pendidikannya Pulau Madura sehingga secara karakter sangat berbeda dengan Kabupaten lainnya. Pada penggalan data lewat wawancara juga dilakukan dengan tokoh masyarakat baik para Kyai atau serta ustad dan ustadzah di sekitar madrasah diniyah yang concern studinya dalam pendidikan Islam.

Proses penelitian berlangsung tiga bulan yang dimulai dari desk-review, observasi lapangan, wawancara. Sebelum penelitian lapangan dilakukan dikumpulkan berbagai bahan sekunder, termasuk berita online, untuk melakukan pemetaan bagaimana membangun *good governance* dalam hukum administrasi pendidikan madrasah diniyah dalam masyarakat muslim pada tataran teks. Observasi dilakukan pada sejumlah madrasah diniyah dimana cerminan *good governance* dapat diamati secara langsung. Wawancara berlangsung di empat madrasah diniyah untuk tujuan perbandingan. Wawancara dilakukan di tempat masing-masing informan setelah terlebih dahulu mendapatkan persetujuan.

Analisis data dilakukan dalam dua bentuk. Pertama, pengolahan data mengikuti tahapan Huberman (Miles, Matthew dan Huberman, 2000, p. 15). Tahapan tersebut dimulai dari reduksi data pengamatan dan wawancara, display data yang dilakukan dalam bentuk summary dan synopsis berdasarkan tema-tema temuan lapangan, dan verifikasi data untuk proses penyimpulan. Kedua, analisis yang digunakan mengikuti teknik interpretasi yang dimulai dari "restatement" atas data yang ditemukan baik dari observasi maupun wawancara, diikuti dengan "description" untuk menemukan pola atau kecenderungan dari data, diakhiri dengan "interpretation" untuk mengungkapkan makna dari data yang telah dikumpulkan. Secara teknis yakni dengan menggunakan analisa pada variabel-variabel pertanyaan dalam wawancara, dipertajam dengan teori *good governance* dan teori hukum administrasi pendidikan dalam narasi penelitian kualitatif. Dengan beberapa segmentasi informan pada empat madrasah diniyah masyarakat muslim di

Madura tersebut dan dengan cocoknya teori yang dipakai maka diharapkan hasil penelitian akan utuh dan setidaknya bisa menggambarkan situasi terkini terkait pendidikan Islam khususnya hukum administrasi madrasah diniyah dalam masyarakat muslim di Pulau Madura.

Result and Discussion

Dual Regulation in Managing Islamic Education in Muslim Countries

Secara regulasi, pendidikan Islam di Indonesia dan Malaysia berada dalam dualisme manajerial yang kontradiktif (Mas'ud et al., 2019, p. 28). Di Indonesia, sistem pendidikan secara umum termasuk pendidikan Islam diatur oleh Kementerian Pendidikan dan Kebudayaan sebagaimana dalam UU Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional. Akan tetapi secara manajemen pendidikan Islam dan agama lain termasuk di dalamnya Madrasah berada di bawah naungan Kementerian Agama. Dualisme regulasi dan manajemen yang sifatnya mengikat (Stern & Smith, 2016, p. 1) secara nasional ini mengakibatkan permasalahan yang kompleks dan berdampak pada pemahaman para stakeholders pada akar rumput. Terkait kontradiksi ini diamini oleh Kepala Madrasah Miftahul Ulum yang menyatakan bahwasanya terdapat banyak aturan yang seakan saling bertabrakan antara keinginan kami sebagai orang yang paham terhadap pendidikan Islam dan pemerintah sehingga aturan ini membuat kami bingung (K. Mohammad Toyyib, 2022). Hal ini menunjukkan bahwasanya terdapat sebuah kontradiksi aturan karena bagaimana mungkin hal-hal yang berkaitan dengan Islam terdapat dalam sistem aturan yang bersifat publik atau umum. Sehingga dengan banyaknya aturan pusat yang kontradiktif dan tampak saling tumpang tindih tersebut menyebabkan suatu kebingungan dalam tataran masyarakat bawah atau dalam hal ini para pemerhati pendidikan Islam di daerah.

Berbeda dengan di Indonesia, sistem pendidikan di Malaysia secara regulasi tidak terjadi dualisme dan jauh dari kata kontradiktif. Bahkan secara regulasi sistem pendidikan Islam di Malaysia saat ini berjalan ke arah integratif (Mas'ud et al., 2019, p. 22) dengan multi-pendekatan. Multi-pendekatan yang dimaksud adalah dengan cara memasukkan beberapa mata pelajaran agama ke dalam beberapa sekolah nasional atau umum seperti mata pelajaran bahasa Arab, al-Quran Sunnah dan Islamic Shariah (Ishak & Abdullah, 2013, p. 303). Integrasi keilmuan dalam sistem pendidikan Islam di Malaysia ini sesuai dengan konstitusi Malaysia yang menyatakan dengan tegas bahwasanya Islam adalah agama resmi federasi tetapi agama-agama lain diterima dan diperkenankan. Hal ini menunjukkan bahwasanya konstitusi di Malaysia memberikan ruang yang khusus dan memiliki posisi yang tinggi dan penting (Ishak & Abdullah, 2013, p. 299) yang dikawal langsung oleh lembaga bernama Jabatan Kemajuan Islam (JAKIM) yang bermuara pada penguasa tertinggi yaitu Raja Yang Dipertuan Agung. Integrasi keilmuan ini memang diakui sangat penting oleh beberapa kepala madrasah di Malaysia seperti kepala Madrasah.....di Kuala Lumpur yang menyatakan bahwasanya.....

Lanjutkan integrasi di Malaysia

Dalam konteks desentralisasi, pendidikan Islam di Indonesia sejatinya memiliki problem yang cukup complicated. Dikatakan complicated karena dalam UU Otonomi Daerah tidak disebutkan dengan jelas bahwasanya aspek pemerataan pada tingkat pendidikan Islam secara khusus dan menyeluruh secara nasional, bahkan dalam Pasal 122 hanya menyebutkan dua daerah khusus yakni Aceh dan Yogyakarta. Padahal sesungguhnya aspek pemerataan (Abdurahman & Dewansyah, 2019, p. 259) dalam desentralisasi pendidikan sangatlah penting dan menjadi faktor kunci dalam keberhasilan bidang pendidikan. Walaupun memang dalam penjelasan Pasal tersebut jelas disebutkan bahwasanya untuk Daerah Istimewa Aceh penetapan kebijakan pendidikan harus memperhatikan peranan ulama. Dari penjelasan UU ini menunjukkan bahwasanya memang ada

ruang kosong (Isra et al., 2019) dalam tingkat aturannya terutama bagaimana nanti kebijakan pada daerah lain yang memenag memiliki basis pendidikan Islam yang kuat seperti di pulau Madura Jawa Timur ini misalnya. Terkait pemerataan ini, menurut Kepala Madrasah Nahdatul Ilmi Bangkalan mengatakan bahwasanya “Kami memiliki kesulitan dalam menyesuaikan kurikulum terapan dalam madrasah kami dikarenakan kebijakan otonomi daerah ini secara tidak langsung menyerahkan sepenuhnya kepada madrasah atau sekolah mengenai manajemen, kurikulum dan hal-hal lain sedangkan latar belakang masing-sekolah itu berbeda akan tetapi kami dituntut untuk memberikan hasil yang minimal sama dengan sekolah atau madrasah lain yang sudah lebih maju sehingga sangat sulit dalam menerapkan hal tersebut” (Ust. Hadi, 2022).

Kemudian aturan-aturan mengenai pendidikan Islam di Indoensia sangat kompleks (Stern & Smith, 2016, p. 2). meskipun pada akhirnya terdapat Peraturan Pemerintah (PP) pada tahun 2007 tentang Pendidikan Agama dan Pendidikan Keagamaan yang disusul kemudian terbitnya UU Nomor 18 Tahun 2019 Tentang Pesantren namun itu semua belum menunjukkan aturan resmi sistem pendidikan Islam dalam sebuah Undang-Undang.

Aturan di Malaysia yang kompleks

Result and Discussion

General Principles of Good Governance dan Asas-Asas Umum Pemerintahan Yang Baik Hukum Administrasi Pendidikan Islam

Dalam beberapa literatur, terdapat dua hal yang merupakan perwujudan good governance dalam konteks hukum administrasi. Kedua hal tersebut adalah general principles of good governance dan asas-asas umum pemerintahan yang baik. General principles ini sudah diakui bahkan telah dijadikan standar oleh empat lembaga internasional yakni EU, IMF, OECD, dan World Bank (Van Doeveren, 2011, p. 307). Sedangkan dalam asas-asas umum pemerintahan yang baik berdasarkan amanah konstitusi sebagaimana termaktub dalam pasal 53 ayat 2 huruf b UU nomor 9 Tahun 2004 Tentang Peradilan Tata Usaha Negara. Asas-asas ini menjadi tolak ukur dalam objek kajian hukum administrasi di Indonesia (Philipus M Hadjon dkk, 2012, p. 44). Oleh karena hal itu, tulisan ini akan membedah general principles dan asas-asas good governance dalam bingkai hukum administarsi madrasah diniyah.

Dalam konteks prinsip-prinsip umum pemerintahan yang baik beberapa lembaga dan para ahli mempunyai pandangan yang berbeda. Beberapa institusi misalmya World Bank menekankan pentingnya efektivitas dan efisiensi (van Doeveren, 2011, p. 308). Sementara itu EU, UN dan OCED menyatakan bahwasanya keterbukaan dan transparansi merupakan inti dari prinsip-prinsip umum good governance (van Doeveren, 2011, p. 309). Berbeda dengan lembaga-lembaga tersebut para ahli seperti Addink GH menganalisa beberapa negara di Eropa yang menerapkan beberapa prinsip seperti openness dan Integrity, Effectiveness dan Efficiency serta Accountability meskipun sebenarnya Addink lebih menempatkan prinsip Integrity dalam posisi teratas (Addink, 2018, p. 8). Berbeda dengan beberapa institusi dunia dan pakar di Eropa di atas, ahli hukum administrasi dan good governance seperti Philipus M Hadjon memberikan tawaran asas-asas umum pemerintahan yang baik sebagai korelasi terhadap hukum administrasi. Beberapa tawaran asas-asas tersebut adalah asas kepastian hukum, asas tertib penyeleggaraan negara, asas keterbukaan, asas proporsionalitas, asas profesionalitas dan asas akuntabilitas sebagaimana yang termaktub dalam Pasal 53 ayat 2 UU Nomor 9 Tahun 2004 Tentang Peradilan Tata Usaha Negara (Philipus M Hadjon dkk, 2012, pp. 44–45).

Berikut ini akan dipaparkan general prinsip tersebut sebagaimana dalam tabel 1 di bawah ini;

No	Jenis Perundang-Undangan	Pendidikan Umum (Secara Umum)	Pendidikan Islam; Madrasah Diniyah (Secara Khusus)	<i>Coding; General Principles of Good Governance</i>
1	UUD 1945	1. UUD 45 Pasal 28 c ayat 1 2. Pasal 31 ayat 5 UUD 45	Belum ada aturan secara spesifik	Rule of law, Strategic vision, Accountability, rule of law
2	TAP MPR	TAP MPR XV/MPR/1998	Belum ada aturan secara spesifik	Efektifitas, Efisiensi, rule of law
3	UU/Peraturan Pemerintah Pengganti UU	1. UU Nomor 4 tahun 1950 Jo UU nomor 19 Tahun 1954 Tentang Dasar-Dasar Pendidikan dan Pengajaran 2. UU Nomor 2 Tahun 1989 dan UU Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional 3. UU Nomor 14 Tahun 2005 Tentang Guru dan Dosen 4. UU Nomor 12 Tahun 2012 Tentang Pendidikan Tinggi 5. Undang-Undang Republik Indonesia Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah.	UU Nomor 18 Tahun 2019 Tentang Pesantren	1. Dalam asas Rule of Law terdapat inkonsistensi dalam internal UU Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional dimana dalam Pasal 1 angka 5 jelas tertulis bahwa tenaga pendidikan secara definitif adalah anggota masyarakat yang mengabdikan diri dan diangkat untuk menunjang penyelenggaraan pendidikan. Sementara itu dalam Pasal yang sama angka 6 disebutkan bahwasanya pendidik adalah tenaga kependidikan yang berkualifikasi sebagai guru, dosen, konselor, pamong belajar, widyaiswara, tutor, instruktur, fasilitator dan sebutan lain yang sesuai dengan kekhususannya serta berpartisipasi dalam menyelenggarakan pendidikan. 2. Dalam asas Rule of Law terdapat inkonsistensi antar perundang-undangan sebagaimana dalam lampiran UU Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah. Dalam UU ini disebutkan bahwasanya Pemda telah mengubah kewenangan pengelolaan pendidikan menengah menjadi kewenangan Propinsi sebagai bentuk pembagian

				urusan pemerintahan yang bersifat konkuren yang berkaitan dengan pelayanan dasar wajib. Sementara dalam Pasal 50 Ayat 5 UU Sistem Pendidikan Nasional menyebutkan Pemerintah Kabupaten/Kota mengelola pendidikan dasar dan pendidikan menengah serta satuan pendidikan yang berbasis keunggulan lokal.
4	Peraturan Pemerintah	PP Nomor 57 Tahun 2021 Tentang Standar Nasional Pendidikan	PP Nomor 55 Tahun 2007 Tentang Pendidikan Agama dan Pendidikan Keagamaan	Participation, equity, rule of law
5	Peraturan Presiden	Perpres Nomor 87 Tahun 2017 Tentang Penguatan Pendidikan Karakter	Belum ada Perpres secara khusus	Rule of law , equity, responsiveness
6	Peraturan Daerah/Provinsi	Perda Provinsi Jawa Timur Nomor 9 Tahun 2014 Tentang Penyelenggaraan Pendidikan	Untuk agama Islam terdapat pada Pasal 20 sampai 22	Equity, strategic vision, participation, openness
7	Peraturan Daerah/Kota	1. Perda Kabupaten Pamekasan Nomor 8 Tahun 2014 Tentang Sistem Penyelenggaraan Pendidikan. 2. Perda Kabupaten Bangkalan Nomor 6 Tahun 2015 Tentang Penyelenggaraan Pendidikan. 3. Perda Kabupaten Sampang Nomor 4 Tahun 2016 Tentang Sistem Penyelenggaraan Pendidikan. 4. Perda Kabupaten Sumenep Nomor 7 Tahun 2013 Tentang Sistem Penyelenggaraan Pendidikan	1. Terkait pendidikan madrasah diniyah terdapat dalam Bab 1 Ketentuan Umum Pasal 1. 2. Hampir setiap bab ada 3. Hampir setiap bab ada 4. Hampir setiap pasal ada	

Dalam konteks good governance ada beberapa karakteristik atau unsur yang mesti ada dalam tata kelola pemerintahan yang baik yakni participation, rule of law, transparency, responsiveness, consensus orientation, equity, effectiveness and efficiency, accountability, strategic vision. Berikut ini akan dibahas mengenai beberapa unsur atau karakteristik tersebut dalam kerangka dan hubungannya dengan hukum administrasi madrasah diniyah.

Pertama adalah rule of law. Rule of law disini maksudnya adalah bagaimana dalam sistem tata kelola pemerintahan yang baik harus ada kerangka hukum yang adil dan hukum harus dilaksanakan dalam semua lapisan masyarakat dan tanpa pandang bulu serta menjamin hak dasar umat manusia yakni hak asasi manusia (Philipus M Hadjon dkk, 2019). Posisi rule of law dalam konteks good governance ini sangat krusial mengingat tanpa adanya unsur ini maka bisa dipastikan bahwa sistem, tata kelola pemerintahan tidak akan bisa berjalan dengan baik karena unsur kepastian hukum telah dilanggar sebagaimana dalam UU Nomor 9 Tahun 2004 yang merupakan revisi pasal 53 UU Nomor 5 Tahun 1986 Tentang Peradilan Tata Usaha Negara. Sehingga dengan melihat tabel di atas maka secara gampang bisa kita analisis bahwasanya ada ketidakpastian hukum

dalam internal aturan terkait pendidikan dimana masih banyak ditemukan UU dan Peraturan Daerah dan pasal-pasal yang saling bertentangan sebagaimana dalam tabel di atas. Hal ini mengindikasikan bahwa dalam konteks membangun tata kelola pemerintahan yang baik secara unsur atau karakteristik rule of law kita masih perlu ditata ulang khususnya terkait tumpang tindihnya kewenangan yang itu tercermin dalam kontradiksi aturan seperti UU dan Perda serta Pasal antar Pasal.

Unsur kedua yang sangat penting dalam konteks good governance adalah accountability. Sebagaimana dalam Amanah Pasal 2 huruf H UU Nomor 18 Tahun 2019 Tentang Pesantren disebutkan bahwasanya dalam pengelolaan pesantren termasuk di dalamnya aturan mengenai madrasah diniyah harus bersasaskan akuntabilitas. Asas akuntabilitas ini dimaksudkan agar segenap pengelolaan yang terkait kebijakan madrasah harus dilakukan dengan penuh tanggung jawab. Akuntabilitas inilah yang dikritik keras oleh Bank Dunia terhadap kebijakan pendidikan di Indonesia dimana Indonesia sangat lemah (Dandan Chen, 2011, p. 24) dalam akuntabilitas Lembaga-lembaga pendidikannya. Kelemahan tersebut disebabkan oleh dua hal yakni karena orang tua yang kurang ingin tahu terhadap kinerja para stake holder lembaga dan yang kedua adalah pihak sekolah juga kurang terbuka dalam melaporkan setiap kebijakan yang telah mereka lakukan (Dandan Chen, 2011, pp. 9–10). Sehingga dalam konteks membangun tata kelola pemerintahan yang baik aspek akuntabilitas ini masih menjadi pekerjaan rumah yang besar bagi setiap pemangku kebijakan di negara ini karena masalah akuntabilitas ternyata bukan hanya persoalan yang terjadi dalam dunia pendidikan akan tetapi sudah menjadi persoalan sosial, ekonomi dan politik sejak lama.

Selanjutnya adalah strategic vision. Yang dimaksud strategic vision adalah para stake holder dan masyarakat juga harus punya keinginan yang sama dalam tujuan membangun sistem dan tata kelola pemerintahan yang baik. Sehingga berdasarkan definisi ini dapat disimpulkan bahwasanya haruslah terdapat sebuah Kerjasama yang baik atau integrasi (Ngainun Naim, Abdul Aziz, 2021, p. 112) antara pihak pengelola lembaga atau madrasah diniyah dengan masyarakat atau orang tua siswa sekitar dalam mengelola suatu pendidikan. Strategic Vision mempunyai posisi yang vital dikarenakan dua hal. Pertama secara struktur kelembagaan ia akan mempengaruhi pendidikan yang tingkatannya lebih tinggi. Kedua secara materil, kurikulum pendidikan yang sudah terintegrasi akan menjadi modal yang sangat berharga bagi anak didik sehingga bidang ilmu yang didapatkan akan menjadi struktur keilmuan yang utuh mulai dari jenjang dasar, menengah hingga atas bahkan sampai ke perguruan tinggi. Oleh karena itulah strategic vision dalam konteks integrasi pendidikan Islam pada umumnya dan madrasah diniyah pada khususnya merupakan dasar penting dalam mewujudkan good governance.

Management administratif dan Operatif Good Governance dalam Islamic Education

Berikut ini akan dijelaskan beberapa alasan mengapa administrasi pendidikan atau manajemen pendidikan sangat penting untuk dilakukan. Dalam beberapa studi di berbagai negara diketahui bahwasanya saat ini pemerintah sangat concern terhadap sektor ekonomi-politik dimana yang menjadi tumpuan dan tujuan tersebut adalah dengan realisasi pendapatan sektor pendidikan dimana sisi manajemen administrasi pendidikan menjadi kata kuncinya (Nurdin, 2020, p. 22). Dalam ruang lingkup manajemen administrasi pendidikan setidaknya ada dua pembahasan yang sangat penting. Pertama manajemen administratif, bidang kajian yang seringkali disebut sebagai management of administrative function ini dibuat agar semua orang dalam organisasi atau kelompok kerjasama mengerjakan hal-hal yang tepat agar tujuan bisa tercapai dengan baik. Kedua, manajemen operatif atau management of operative function yakni program-program yang dibuat

agar bisa mengarahkan dan membina pekerjaan-pekerjaan yang dibebankan kepada setiap orang sehingga pekerjaan tersebut bisa terlaksana dengan tepat dan benar (Lias Hasibuan dkk, 2022, p. 5). Dalam beberapa literatur juga disebutkan bahwasanya kedua bidang di atas di breakdown lagi kedalam delapan bidang administrasi yakni Administrasi Kesiswaan, Administrasi Kurikulum, Administrasi Personalia (Pendidik dan Tenaga Pendidik), Administrasi Sarana dan Prasarana, Administrasi Humas (Hubungan Masyarakat dengan Sekolah), Administrasi Keuangan Sekolah, Administrasi Tata Laksana, Administrasi Layanan Khusus. Di bawah ini akan diuraikan penjelasan masing-masing administrasi tersebut.

Pertama adalah administrasi kesiswaan. Dalam konteks good governance, ada dua kondisi dalam administrasi kesiswaan yang sangat penting untuk dibangun. Pertama, secara definitif siswa atau dalam bahasa Undang-Undang nomor 20 Tahun 2003 Pasal 1 ayat 4 adalah peserta didik merupakan anggota masyarakat yang berusaha untuk mengembangkan potensi diri. Definisi ini tentunya mempunyai ruang lingkup yang sangat luas karena bahasa yang digunakan adalah anggota masyarakat yang notabene akan sangat banyak prolematikanya misalnya masyarakat yang mana, golongan apa, umur berapa dan lain sebagainya (Wae-U-seng et al., 2020, p. 505). Kedua, secara administratif ia juga akan menimbulkan adanya suatu pelanggaran (cari jurnal) dimana menurut Peraturan Menteri Pendidikan Nasional Nomor 41 Tahun 2007 Tentang Standar Proses Untuk Satuan Pendidikan Dasar dan Menengah bahwasanya harus ada standarisasi yakni SD/MI maksimal 28 peserta didik sedangkan untuk Tingkat SMP/MTS, SMA/MA, SMA/MAK adalah 32 peserta didik. Sehingga jumlah standarisasi ini memungkinkan adanya sebuah sistem kelola yang tidak baik yakni ketimpangan jumlah peserta didik yang dikarenakan bisa saja satu instansi dengan instansi yang lain memberlakukan ketentuan yang sangat berbeda karena situasi masyarakat sekitarnya akan berbeda. Oleh karena maka dalam tataran administrasi kesiswaan baik secara aturan perundang-undangan dan fakta sosial dalam masyarakat memerlukan penataan Kembali agar good goverance dalam lingkup sekolah atau madrasah bisa terwujud dengan baik.

Kedua adalah administrasi kurikulum. Ada dua hal mendasar dan penting dalam administrasi kurikulum madrasah diniyah. Pertama, secara substansi, dalam beberapa literatur, kurikulum merupakan kegiatan yang meliputi perencanaan kurikulum, organisasi kurikulum, implementasi kurikulum dan evaluasi kurikulum (Samier & ElKaleh, 2019, p. 3). Lebih spesifik lagi kurikulum harus terdiri dari beberapa komponen yakni tujuan, isi, media, strategi, proses pembelajaran serta terakhir adalah penilaian. Kedua, secara kewenangan juga menjadi poin yang harus diperhatikan juga dalam usaha membangun sistem tata kelola pemerintahan yang baik (good governance). Hal ini dikarenakan kurikulum yang disusun oleh satuan pendidikan memungkinkan penyesuaian program sesuai dengan kebutuhan pada masing-masing daerah (Shaturaev, 2021). Hal ini memang diakui oleh beberapa kepala madrasah yang sebenarnya menyadari akan pentingnya kewenangan dalam menentukan kurikulum yang bisa diakomodir oleh pendidikan Islam khususnya bagaimana caranya agar kurikulum madrasah diniyah bisa mempunyai kualitas yang diakui (Ust. Hadi, 2022), (K. Mohammad Toyiyib, 2022) sebagaimana sekolah umum lainnya. Dua hal inilah yang sebenarnya harus diperjelas dan betul-betul diaplikasikan agar keinginan pemerintah pusat dan daerah bisa sejalan dan tujuan pendidikan nasional bisa tercapai.

Ketiga adalah Administrasi Personalia (Pendidik dan Tenaga Pendidik). Administrasi personalia baik sisi pendidik dan tenaga pendidik merupakan dua hal penting yang harus dibenahi agar proses tata kelola pemerintahan yang baik dalam pendidikan Islam khususnya pada madrasah diniyah bisa berjalan dengan baik. Pertama, secara personalia ada aspek profesionalitas (Alhashmi & Moussa-Inaty, 2021, p. 3) yang menjadi kata kunci sesuai definisi pendidik dalam Pasal 39 UU Nomor 20 Tahun 2003. Unsur profesionalitas ini kemudian diperjelas dalam Pasal 171 PP Nomor

17 Tahun 2010 yang telah dirubah oleh PP Nomor 66 Tahun 2010 yang merinci masing-masing tenaga professional tersebut dengan istilah guru, dosen, konselor, pamong belajar, widyaiswara, tutor, instruktur, fasilitator dan istilah pendidik yang lain. Sedangkan untuk tenaga pendidikan dalam PP Nomor 19 Tahun 2005 Tentang Standar Pendidikan Nasional disebutkan bahwasanya tenaga pendidik adalah tenaga yang bertugas merencanakan dan melaksanakan administrasi, pengelolaan dan pengembangan, pengawasan dan pelayanan teknis untuk menunjang proses pendidikan pada satuan pendidikan. Istilah tenaga yang bertugas ini kemudian diperinci oleh Pasal 173 PP Nomor 17 Tahun 2010 dengan sebutan atau istilah yakni pengelola satuan pendidikan, penilik, pengawas, peneliti, pengembang, tenaga perpustakaan, tenaga laboratorium, teknisi sumber belajar, tenaga administrasi, psikolog, pekerja sosial, terapis, tenaga kebersihan dan keamanan dan sebutan lainnya yang bekerja pada satuan pendidikan. Kedua, secara kegiatan membutuhkan asas keterbukaan karena dalam administrasi personalia urutan kegiatan mulai dari perencanaan, rekrutmen, pembinaan dan pengembangan pegawai, promosi dan mutasi, kompensasi pegawai, penilaian pegawai, pemberhentian pegawai merupakan proses yang panjang dan melibatkan banyak pihak. Terkait aspek keterbukaan ini madrasah diniyah memang harus diakui memiliki kekuatan ini, sebagai contoh mereka para pengelola madrasah membayar gaji guru dengan sistem bisyaroh yang jumlahnya di bawah standar akan tetapi dengan adanya keterbukaan mereka menerima ini dengan ikhlas (K. Ahmad Qusyairi, 2022). Sehingga dalam konteks good governance, administrasi personalia baik pendidik dan tenaga pendidik harus dibangun profesionalitas dan asas keterbukaan agar tujuan pendidikan nasional khususnya dalam madrasah diniyah dapat tercapai.

Keempat adalah Administrasi Sarana dan Prasarana. Secara substansi ada dua hal mendasar yang perlu ditata ulang dalam administrasi sarana dan prasarana pendidikan. Pertama hal yang harus dibangun secara fisik yakni sesuai dengan Amanah dalam PP Nomor 19 Tahun 2005 Tentang Standar Pendidikan Nasional dan PP Nomor 24 Tahun 2017 Tentang Standar Sarana dan Prasarana untuk SD/MI, SMP/MTs, dan SMA/MA bahwa sarana pendidikan sekurang-kurangnya harus berdiri secara fisik seperti ruang kelas, ruang perpustakaan, laboratorium, ruang pimpinan, ruang guru, ruang TU, tempat ibadah, ruang konseling, ruang UKS, ruang organisasi kesiswaan, jamban, ruang sirkulasi dan tempat bermain atau olahraga. Kedua, secara non fisik (*road map*), yang perlu dibangun adalah perencanaan pengadaan sarana dan prasarana, pengadaan sarana dan prasarana, pemeliharaan, inventarisasi, penghapusan sarana dan prasarana serta pengawasan sarana dan prasarana (Shobirin & Fauzi, 2021). Kondisi ini memang disadari oleh beberapa lembaga pendidikan Islam di Madura yang notabene merupakan masyarakat agamis dimana cenderung menerima kondisi sarana dan prasarana yang sederhana baik dari sisi fisik bangunan sekolah, ruang kelas dan fasilitas-lainnya seperti perpustakaan memang sangat tidak layak bahkan bisa dikatakan tidak ada (Ust. Rahman, 2022), (Ust. Hadi, 2022), (K. Mohammad Toyyib, 2022). Sehingga ke depan sangat perlu kiranya bagaimana melakukan sebuah tata kelola yang baik yang dimulai dari aspek sarana dan prasarana yang standar agar pendidikan Islam khususnya di wilayah masyarakat muslim menjadi layak secara fisik bukan hanya layak secara non fisik.

Kelima adalah Administrasi Humas (Hubungan Masyarakat dengan Sekolah). Hubungan masyarakat seperti apa yang perlu dibangun agar tata kelola pendidikan bisa berjalan dengan baik. hubungan tersebut setidaknya bisa dilihat dalam dua hal yakni ; pertama wujud hubungan masyarakat sebagaimana yang termaktub dalam Pasal 54 UU nomor 20 Tahun 2003 Tentang Pendidikan Nasional dijelaskan bahwasanya peran serta masyarakat terhadap sekolah bisa berupa peran serta perseorangan, kelompok, keluarga, organisasi profesi, pengusaha, dan organisasi kemasyarakatan dalam penyelenggaraan dan pengendalian mutu pelayanan pendidikan. Kedua

pada tataran aplikatifnya hubungan masyarakat ini bisa berupa gagasan, kritik membangun serta dukungan dan pelaksanaan pendidikan. Secara lebih rinci hubungan masyarakat dengan sekolah bisa dilihat dalam Pasal 56 ayat 3 UU Nomor 20 Tahun 2003 Tentang Sistem Pendidikan Nasional terkait peran dewan pendidikan dan komite sekolah. Lebih lanjut dijelaskan bahwasanya peran dewan pendidikan adalah sebagai pemberi pertimbangan, arahan, dan dukungan tenaga, sarana prasarana serta pengawasan pendidikan baik pada tingkat nasional, provinsi, kabupaten/kota. Sedangkan untuk komite sekolah perannya dapat dilihat dalam empat hal yakni sebagai pemberi bahan pertimbangan, pendukung, pengontrol dan mediator (Sofyan et al., 2019, p. 21). Terkait hubungan masyarakat ini lembaga pendidikan Islam merupakan lembaga yang sangat concern dalam melakukan pendekatan kepada masyarakat sekitar. Hal ini dilakukan karena memang sejak munculnya lembaga-lembaga pendidikan Islam karena keinginan masyarakat sendiri. Secara teknis biasanya beberapa kelompok masyarakat *sowan* (Ust. Hadi, 2022) kepada ulama dan kiai untuk kemudian membuat suatu lembaga pendidikan Islam agar lebih mudah dalam menyebarkan agama Islam secara lebih sistematis.

Keenam adalah Administrasi Keuangan Sekolah. Perihal keuangan dalam sistem tata kelola madrasah diniyah memang diakui sangat terbatas. dikatakan terbatas maksudnya adalah baik dana yang dikelola dan sistem manajemen masih dilakukan secara manual dan mandiri. Misalnya dana yang didapat dari iuran siswa dan dana dari donatur biasanya hanya digunakan untuk sekedar memberikan bisyaroh atau gaji kepada para ustadz atau guru yang jumlahnya tidak seberapa. Dana tersebut juga misalnya terdapat kelebihan maka akan digunakan untuk kemaslahatan lembaga yakni untuk membangun gedung, ruang kelas dan fasilitas lain yang dirasa perlu (Ust. Hadi, 2022), (K. Mohammad Toyyib, 2022), (K. Ahmad Qusyairi, 2022), (Ust. Subhan, n.d.). Padahal sesungguhnya sistem tata kelola administrasi keuangan lembaga pendidikan secara ideal adalah adanya suatu teknis aturan pengelolaan yang jelas mulai dari lembaga negara seperti kementerian hingga sampai kepada lembaga atau unit kecil di daerah seperti Provinsi dan Kabupaten. Dalam konteks ini beberapa studi di Asia Tenggara menghasilkan temuan yang cukup mencengangkan bahwasanya sistem tata kelola keuangan khususnya dalam lembaga pendidikan Islam belum terlaksana dengan baik (Shaturaev, 2021, pp. 60–61). Sehingga kiranya ke depan sangat perlu dan segera untuk dilakukan koordinasi antar lembaga baik di tingkat pusat dan daerah dalam rangka menciptakan suatu sistem tata kelola yang baik khususnya dalam bidang keuangan lembaga pendidikan Islam.

Ketujuh adalah Administrasi Tata Laksana. Satu elemen penting yang biasanya luput dari perhatian pemerhati pendidikan adalah administrasi tata laksana atau lebih dikenal tata usaha. Tata usaha secara administratif merupakan proses kegiatan yang dilaksanakan secara sungguh-sungguh dalam rangka membina kegiatan-kegiatan yang berupa tulis menulis, surat menyurat baik itu dengan cara menghimpun, mengelola, menggandakan serta menyimpan semua bahan keterangan yang diperlukan dalam suatu organisasi (Franken, 2017, p. 5). Secara substatif administrasi ini menjadi sangat krusial terutama ketika suatu lembaga pendidikan ingin melakukan evaluasi atau akreditasi. Administrasi tata usaha ini seakan menjadi ujung tombak dalam mengelola dan menjadikan satuan pendidikan tersebut menjadi lembaga yang unggul sehingga dengan lembaga yang unggul dapat menjadi pilihan utama masyarakat dalam mempercayakan anak-anaknya untuk menimba ilmu di lembaga tersebut (Wae-U-seng et al., 2020, p. 505), (Franken, 2017, p. 4). Dalam konteks ini madrasah diniyah dalam masyarakat muslim khususnya di Madura lebih menekankan substansi materi bahan ajar di sekolah, sehingga aspek administrasi tata laksana ini seperti kegiatan surat menyurat dan lain sebagainya memang sangat tidak diperhatikan (Ust. Subhan, n.d.). Hal ini menunjukkan bahwasanya terkait sistem administrasi tata laksana sistem pendidikan

Islam khususnya di madrasah diniyah memang sangat perlu untuk dilakukan evaluasi demi sistem tata kelola yang baik.

Kedelapan adalah Administrasi Layanan Khusus. Layanan khusus yang dimaksud disini adalah perpustakaan, Koperasi Sekolah, Kafetaria Sekolah. Layanan khusus perpustakaan menjadi sangat krusial karena ia adalah sumber belajar. Dalam konteks good governance, perpustakaan harus dilihat dalam dua makna penting. Pertama, perpustakaan harus menyediakan fasilitas lengkap, hal ini bisa dimulai dari kegiatan pengadaan koleksi, pembelian, hadiah/sumbangan, pertukaran koleksi dengan perpustakaan yang lain, penggandaan atau reproduksi, laporan hasil kegiatan, teknik pengadaan koleksi, jaringan informasi dan berbagai sumber, pemeliharaan koleksi, tindakan pencegahan, tindakan penanggulangan. Kedua, adalah peran aktif guru (Memon, 2011, p. 288) dalam memanfaatkan berbagai fasilitas perpustakaan ini antara lain memilihkan buku yang cocok untuk peserta didik sehingga peserta didik mempunyai sumber belajar yang jelas. Selain perpustakaan ada juga koperasi sekolah, kafetaria sekolah dan UKS (Unit Kesehatan Sekolah). Terkait peran aktif guru ini sebenarnya sudah dilakukan oleh beberapa lembaga madrasah di Madura yakni para guru atau ustadz melakukan sistem pembelajaran langsung di kelas atau yang disebut dengan sistem belajar *bandongan* dan juga melakukan sistem pembelajaran satu-satu dengan murid atau yang lebih dikenal dengan sistem belajar *sorogan* (K. Mohammad Toyyib, 2022). Terbukti dengan kedua sistem belajar ini madrasah diniyah dalam pendidikan Islam bisa menghasilkan murid yang berkualitas terutama dari sisi hafalan sehingga membuat lembaga pendidikan Islam bisa bertahan di era moderan saat ini. Berikut ringkasan manajemen administrative dan operative tersebut pada beberapa lembaga pendidikan Islam dalam masyarakat muslim Madura sebagaimana yang ditunjukkan dalam tabel 2 di bawah ini.



No	Good Governance; Administrative and Operative Management	Madrasah Diniyah Nasyrul 'ilmi Bangkalan	Madrasah Diniyah Nurul 'ilmi Sampang	Madrasah Diniyah Nahdatul Islamiyah Pamekasan	Madrasah Diniyah Nurul Islam Sumener
1	Student Administration	√	√	×	√
2	Curriculum Administration	√	×	√	√
3	Educators Personnel Administration	√	√	√	√
4	Facility and Infrastructure Administration	×	×	√	√
5	Public Relation Administration	√	√	√	√
6	School Financial Administration	×	×	×	√
7	Managemen Administrative	×	×	×	×
8	Special Services Administration	√	√	√	√



Moral integrity: Fundamental value of good governance of Islamic education

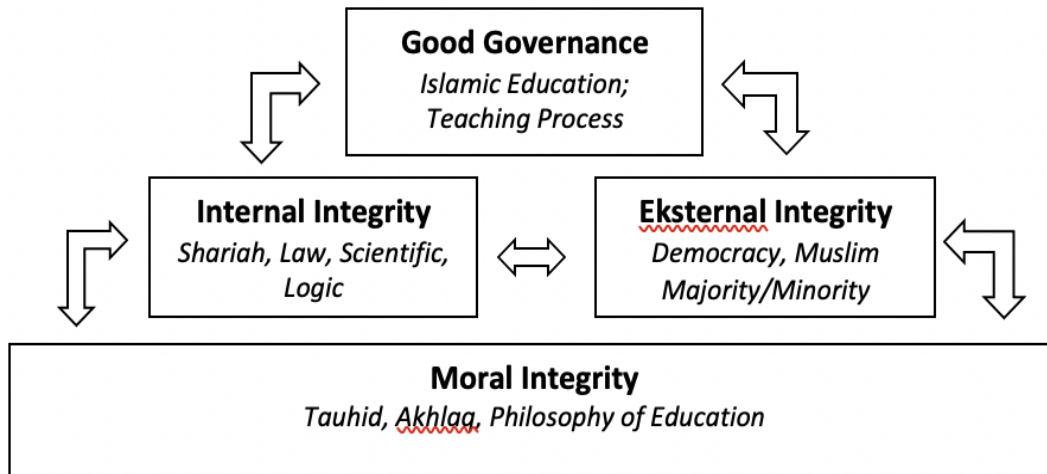
Dalam konteks pendidikan Islam, integritas moral yang dimaksud bermuara pada satu hal yakni akhlaq. Dalam bahasa lain integritas moral ini sering diistilahkan sebagai norma atau etika (Mohamed, 2014, p. 316). Menurut salah satu Kepala Madrasah Diniyah di Kabupaten Pamekasan persoalan etika atau akhlaq ini menjadi salah tujuan lembaga ini didirikan, yakni menciptakan suatu masyarakat yang mempunyai perilaku yang baik (bagus akhlaqnya) (K. Mohammad Toyyib, 2022). Lebih rinci lagi salah satu Kepala Madrasah di Kabupaten Bangkalan mengatakan bahwasanya sesekali Madrasah melakukan istighosah kubro (K. Ahmad Qusyairi, 2022). Istighosah ini merupakan kegiatan doa Bersama yang dilakukan oleh semua stake holder baik itu masyarakat, orang tua siswa, seluruh guru. Harapan adanya kegiatan istighosah kubro ini yakni agar semua program dan kegiatan belajar mengajar dapat berjalan dengan baik dan mendapat ridho Allah swt. Aspek etika ini dalam masyarakat muslim menjadi simbol dalam pemahaman agama Islam. Sehingga kemudian muncul sebuah perumpamaan yakni jika akhlaqnya baik maka ilmunya tinggi, akan tetapi sebaliknya jika akhlaqnya tidak baik maka cenderung masyarakat menganggap bahwa orang tersebut tidak mempunyai ilmu. Hal ini menunjukkan bahwasanya masyarakat muslim secara praktik telah berhasil mengaplikasikan pemahaman keagamaan mereka dalam wujud integritas internal menuju integritas eksternal yang termanifestasi dalam sebuah lembaga pendidikan Islam atau Madrasah.

Konsepsi integritas moral di atas memang sangat ideal dalam rangka mewujudkan suatu pemerintahan yang baik atau good governance dalam intitusi pendidikan Islam. Namun pada praktik di lapangan tujuan tersebut memiliki banyak tantangan. Beberapa diantara tantangan

tersebut adalah tidak adanya suatu standart aturan yang jelas mengikat mereka, misalnya ketika seorang ustadz memberikan suatu hukuman kepada murid di kelas berupa tangannya dipukul, berdiri di kelas (Ust. Hadi, 2022) dan lain sebagainya. Beberapa literatur memang mempersoalkan terkait objektifikasi sistem pembelajaran Islam ini, bahkan menyebut bahwa sistem hukuman di kelas seperti ini melanggar HAM (Saada & Gross, 2017, p. 10), (Addink, 2018, p. 7). Sehingga dalam menyikapi hal ini tentunya konsepsi integritas moral yang merupakan dimensi tauhid maka harus diikuti oleh dimensi syariah atau aturan hukum yang bisa menaungi segenap sistem pembelajaran yang dilakukan dalam institusi pendidikan Islam. Sehingga ruang hukum yang kosong ini mestinya diisi oleh aturan yang islami juga yang lahir dari aspek internal sendiri yakni hukum Islam atau syariah bukan yang lahir dari pemahaman yang ada di luar Islam seperti HAM dan lain sebagainya.

Integritas moral ini jika dibahas lebih detail lagi harus mampu menjawab secara ilmiah (Saada & Gross, 2017, p. 5), (Sumardi et al., 2022, p. 258) mengapa ajaran Islam yang diimplementasikan dalam institusi pendidikan Islam. Jawaban ilmiah dari pertanyaan mengapa aspek barokah, mencium tangan guru, salaman, dan bahkan hukuman bagi siswa madrasah yang tidak hafal nadhoman alfiyah (Ust. Hadi, 2022) harus dihukum berdiri memang layak dan logis untuk dilakukan. Menjawab tantangan ini sangat penting mengingat sebenarnya persoalan proses pendidikan dalam Islam secara filosofis berkaitan dengan nalar dan moral (Al-Rsa'i, 2018, p. 5). Oleh karena itu perihal tantangan dalam proses pendidikan Islam ini harus benar-benar menjadi medan jihad dan perjuangan untuk selalu mengedepankan aspek ilmiah dan penjelasan secara logis terkait semua hal yang berkaitan dengan proses pendidikan terutama di Institusi Islam. Jika ini tidak direspon dengan baik maka lambat laun dan pasti pendidikan Islam akan mulai ditinggalkan karena sudah sesuai dengan lingkungan modern saat ini yang lebih mengedepankan logika.

Dalam kerangka yang lebih luas lagi, integritas moral yang harus dibangun adalah bagaimana menciptakan suatu ekosistem pendidikan yang Islami dalam sebuah struktur negara demokrasi seperti Indonesia ini. Struktur ini sebenarnya sudah dilakukan mulai dari tahapan yang paling bawah yakni sebagaimana yang terjadi di beberapa Kabupaten di masyarakat muslim Madura. Misalnya sebagaimana yang dilakukan sebuah lembaga Islam di Kabupaten Pamekasan yakni Madrasah Diniyah Nahdhatul Islamiyyah yang sudah mengaplikasikan kegiatan Imtihan (K. Ahmad Qusyairi, 2022), (Ust. Hadi, 2022), (Ust. Rahman, 2022). Dalam kegiatan yang dilakukan pada akhir tahun pembelajaran ini, pihak Madrasah mengajak seluruh lapisan masyarakat baik itu orang tua siswa, masyarakat sekitar, para tokoh masyarakat, para pejabat untuk terlibat dalam kegiatan akbar ini. Pada acara imtihan ini diselenggarakan berupa lomba antar siswa, beberapa kegiatan lain seperti pawai bahkan pada puncak malam terkahir acara diadakan sebuah acara ceremonial mulai dari doa-doa hingga pemberian hadiah bagi siswa berprestasi. Pada acara imtihan ini juga secara tidak langsung telah menggerakkan roda perekonomian masyarakat sekitar mengingat kegiatan tersebut dilakukan selama beberapa hari dengan melibatkan banyak pedagang kaki lima, asongan dan lain sebagainya. Hal ini menunjukkan bahwasanya pendidikan Islam sebagaimana yang terjadi dalam masyarakat muslim telah menemukan sebuah distingsi (Saada & Gross, 2017, p. 7), (Saada, 2020, p. 3) dan melakukan sebuah adaptasi dalam sebuah negara demokrasi modern. Adaptasi ini sangat penting untuk dilakukan sebagai sebuah usaha untuk membangun sistem tata kelola yang baik dalam bidang pendidikan Islam dimana banyak asumsi yang menyatakan bahwasanya dalam negara demokrasi sangat sulit (Saada, 2020, p. 5) menerapkan sistem pendidikan Islam yang baik. Untuk lebih jelasnya terkait integritas moral sebagai nilai dasar yang perlu dibangun dalam konteks good governance pendidikan Islam maka di bawah ini disajikan dalam bentuk tabel.



Kesimpulan

Tulisan ini menyimpulkan tiga hal yakni, pertama secara prinsip-prinsip umum good governance dan asas-asas umum pemerintahan yang baik beberapa lembaga pendidikan Islam di Madura telah mempraktikkan prinsip-prinsip dan asas-asas tersebut. Prinsip-prinsip dan asas-asas yang sudah diaplikasikan adalah prinsip rule of law, strategic vision, accountability, openness, equity, participation, responsiveness. Kedua ada dua lembaga lembaga pendidikan Islam atau madrasah diniyah di Kabupaten Sumenep dan Pamekasan yang telah memenuhi beberapa kriteria dalam manajemen administratif dan operatif sehingga meskipun beberapa hal belum terpenuhi akan tetapi setidaknya ini bisa menjadi gambaran bagaimana secara administratif lembaga pendidikan Islam ke depan agar bisa lebih baik lagi terutama dalam administrasi fasilitas atau sarana prasarana, administrasi keuangan dan manajemen administrasi lainnya. Ketiga, dalam rangka mewujudkan sistem tata kelola pemerintahan yang baik dalam pendidikan Islam diperlukan adanya sinergitas yang sifatnya fundamental yakni adanya internal integrity dan eksternal integrity yang disokong oleh fondasi utama yakni tauhid dan akhlaq sebagai moral integrity. Moral integrity ini sudah dimulai dan bahkan menjadi fondasi dasar lembaga-lembaga pendidikan Islam hanya saja mungkin yang kurang adalah menemukan internal integrity berupa scientific-logic dalam proses pendidikan di zaman modern seperti saat ini. Jika internal integrity yang sifatnya scientific-logic sudah ditemukan dan diaplikasikan maka bukan menjadi tidak mungkin lembaga-lembaga pendidikan Islam akan menjadi setara lebih unggul dibandingkan dengan lembaga pendidikan umum lainnya.

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Do Governance of Decentralization Autonomy Regulation: Evidence from Muslim Countries

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Abstract;

Indonesia and Malaysia have different regulatory systems which have an impact on the development of education. These differences in understanding change the structure and order of rules in the Islamic education system of *Madrasah* (Islamic School) in the two countries. Therefore, this paper aims 1). map the forms of decentralization and centralization of the Islamic education system in Muslim countries such as Indonesia and Malaysia, 2). Describe the development of educational technology due to existing regulations, and 3). Describe the solutions taken by the government to problems that arise regarding the implementation of Islamic education. This article is based on data collected from observations, documentation, and interviews at eight *Madrasah* (Islamic Schools) in Indonesia and Malaysia. This qualitative research is based on primary data obtained from teachers and stakeholders. Meanwhile, secondary data was obtained from statutory regulations, research results, and other relevant documents. The research results show that, firstly, in terms of regulations the development of Islamic educational technology is very difficult to develop in Indonesia because there is dualism in regulation and management at the Ministry of Education and Culture and the Ministry of Religion. The decentralization system that has been in effect since 2014 with the enactment of the Regional Autonomy Law (UU) has not been fully successful because there are no clauses either at the Law or Regional Regulation (PERDA) level that regulate IT development in the field of Islamic education in detail. Second, the development of educational technology in Indonesia still experiencing dualism such as inequality in existing policies. Between education at the Ministry of Education and Culture and Islamic education is still not evenly distributed. This is different from education in Malaysia which already has a balanced proportion. Third, Malaysia has made efforts to integrate science and technology since primary school. In the last decade, various efforts and breakthroughs in the development of IT-based Islamic education have been carried out by the central government in Indonesia, namely by creating the *Madrasah* Reform program and the *Salaf* Islamic Boarding School Equality Program (PKPPS), although its implementation requires better optimization and equalization efforts.

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

Indonesia dan Malaysia mempunyai system regulasi berbeda yang berakibat pada perkembangan Pendidikan. Perbedaan pemahaman tersebut mengubah struktur dan tatanan aturan dalam sistem pendidikan Islam di Madrasah pada dua negara. Oleh karena itu, tulisan ini bertujuan 1). memetakan bentuk desentralisasi dan sentralisasi sistem pendidikan Islam di negara-negara Muslim seperti Indonesia dan Malaysia, 2). Mendeskripsikan perkembangan teknologi Pendidikan akibat regulasi yang ada, dan 3). Mendeskripsikan solusi yang diambil pemerintah atas permasalahan yang muncul tentang pelaksanaan Pendidikan Islam. Tulisan ini didasarkan pada data yang dikumpulkan dari hasil observasi, dokumentasi, wawancara pada delapan Madrasah (Sekolah Islam) di dua negara yakni Indonesia dan Malaysia. Penelitian kualitatif ini bersumber pada data primer yang diperoleh dari guru dan stakeholder. Sedangkan data sekunder diperoleh dari peraturan perundang-undangan, hasil riset serta dokumen lain yang relevan. Hasil penelitian memperlihatkan bahwa, yang pertama, secara regulasi pengembangan teknologi pendidikan Islam sangat sulit berkembang di Indonesia dikarenakan

terdapat dualisme regulasi dan manajemen pada Kemendikbud dan Kementerian Agama. Sistem desentralisasi yang sudah diberlakukan sejak tahun 2014 dengan berlakunya Undang-Undang (UU) adanya Otonomi Daerah belum sepenuhnya berhasil dikarenakan belum ada klausa baik dalam tingkatan UU atau Peraturan Daerah (PERDA) yang secara detail mengatur pengembangan IT dalam bidang pendidikan Islam. Kedua, perkembangan teknologi Pendidikan di Indonesia masih mengalami dualisme seperti ketimpangan pada kebijakan yang ada. Antara Pendidikan di kemdikbud dan Pendidikan Islam masih belum merata. Hal ini berbeda dengan Pendidikan di Malaysia yang sudah memiliki proporsi yang seimbang. 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 its 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}. Data shows that in the Dutch constitution 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. In fact, Malaysia is not only multi-cultural but also multi-racial, and multi-religious with a population of 50% Muslim and 10% non-Muslim (the latest and most accurate data from the Malaysian government). 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. 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

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 Chuah 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, "Madrasah 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>.

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, what is meant is that the regulations made by the government have a general purpose, creating educated Indonesian citizens and **specifically**, creating Indonesian citizens who have the 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. Since Law Number 23 was officially enacted, **specifically** regarding the implementation of education, including Islamic education, it was officially delegated through Regional Regulations (PERDA). Several literatures state that this delegation of power will cause many problems in the future, **especially** how to create a standard curriculum¹⁰, ¹¹ **especially** 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 **very** centralized¹³ with the center of power in the Ministry of Home Affairs and the United Malay Nationality Organization (UMNO). 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.

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>.

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

¹¹ Firman Mansir, "The Position of Islamic Education According to 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/10.1016/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>.

Meanwhile, the second is simply carrying 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, namely 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, namely how students understand various rules, which then crystallizes into a consistent moral value (*akhlak*)^{21, 22}. This crystallization of moral values is also explicitly stated in Article 11 Paragraph 1 of Pamekasan Regency Regional Regulation Number 8 of 2014, namely that 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. *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, infrastructure²⁵, curriculum²⁶, human resources for both teachers and students, and technology²⁷.

The role of policymakers, especially 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

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>.

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

²⁶ 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>.

²⁷ Daryanes et al., "The Development of Articulate Storyline Interactive Learning Media Based on Case Methods to Train Student's Problem-Solving Ability."

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, specifically the 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-integration²⁸ in its national education system. Specifically, 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 framework, especially regarding the development of educational technology in Muslim countries; (c) What are the government's efforts to decentralize the regulation of the Islamic education system, especially 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, specifically 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, decentralization and centralization of regulations, especially in technological developments, is a matter that is produced and reproduced in the Islamic education system in Muslim countries.

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 analyzed according to Miles, Huberman, and Saldana which consists of 4 stages. The stages of data analysis are shown in Figure 1.

²⁸ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia," 29.

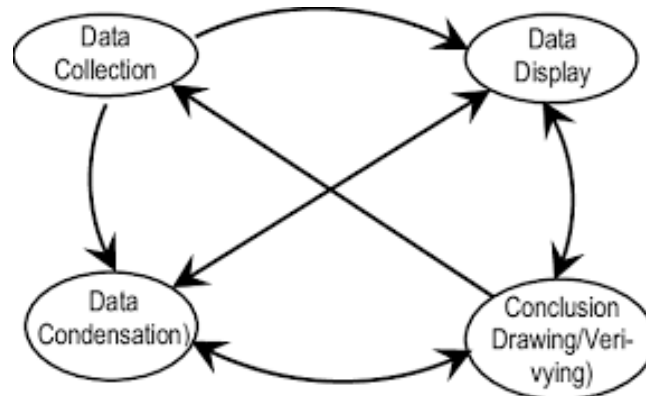


Figure 1. Interactive analysis during research

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 stage²⁹.

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 dualism³⁰. 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 binding³¹, 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 against each other between our desires as people who understand Islamic education and the government, so these regulations made us confused³². This 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 direction³³ with multi-approaches. The multi-approach refers to is by incorporating several religious subjects into several national or public schools, such as Arabic language subjects, the *Al-quran Sunnah*, and Islamic Sharia³⁴. The scientific integration in

²⁹ Hans Gerd Ridder et al., "Qualitative Data Analysis. A Methods Sourcebook," *Zeitschrift Fur Personalforschung*, 2014.

³⁰ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

³¹ Jonathan M.B. Stern 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>.

³² K. Mohammad Toyiyb, "Head of Madrasah."

³³ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

³⁴ Ishak and Abdullah, "Islamic Education in Malaysia: A Study of History and Development."

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 practiced³⁵ ³⁶. This shows that the constitution in Malaysia provides a special space and has a high and important position³⁷ which is directly monitored by an institution called *Jabatan Kemajuan Islam (JAKIM)* which leads to the supreme ruler called *Raja Yang Dipertuan Agung*. This 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 *fardhu kifayah* and *fardhu 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 education³⁸.

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 aspects³⁹ as a unit. In the regulations, technically the education system in Malaysia falls under the authority⁴⁰ of the Ministry of Education which is formulated⁴¹ 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 Malaysia⁴². This 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 process.

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 Aceh and Yogyakarta. In fact, the equity aspect⁴³ in educational decentralization is very important and is a key factor in the success of the educational sector. Although in the explanation of the

³⁵ Isa Ansori, "Kedudukan Fatwa Di Beberapa Negara Muslim (Malaysia, Brunei Darussalam Dan Mesir)," *Analisis: Jurnal Studi Keislaman*, 2017, 142, <https://doi.org/10.24042/ajsk.v17i1.1790>.

³⁶ Ishak and Abdullah, "Islamic Education in Malaysia: A Study of History and Development."

³⁷ Ishak and Abdullah.

³⁸ Rahila Akhtar Husin, "Kepala Madrasah Sri & Tadika Abu Bakar As Siddiq Taman Sri Gombak, Batu Caves Malaysia" (2023).

³⁹ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia."

⁴⁰ Ostwald, "Federalism without Decentralization Power Consolidation in Malaysia."

⁴¹ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia."

⁴² Abdul Qowi Arwas, "Kepala Madrasah Manbaul Uloom Kuala Lumpur Malaysia" (2023).

⁴³ 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>.

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 space⁴⁴ 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"⁴⁵.

Then the rules regarding Islamic education in Indonesia are very complex⁴⁶. 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 situations⁴⁷. 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*"^{48, 49, 50}. This results in *Madrasah* students having a greater learning burden⁵¹ 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. This 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 boarding school graduates, besides that the community environment here is also religious⁵². Second, how can the state incorporate general knowledge, especially science and technology, into the Islamic education curriculum and learning. This is difficult to do considering that there are no

⁴⁴ 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.

⁴⁵ Ust. Hadi, "Head of *Madrasah* Nahdatul Ilmi."

⁴⁶ Stern and Smith, "Private Secondary Schools in Indonesia: What Is Driving the Demand?"

⁴⁷ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

⁴⁸ Ust. Zahri, "Guru *Madrasah* Diniyah Miftahul Ulum."

⁴⁹ K. Ahmad Qusyairi, "Head of *Madrasah*."

⁵⁰ K. Mohammad Toyyib, "Head of *Madrasah*."

⁵¹ Mohammad Kosim et al., "The Dynamics of Islamic Education Policies in Indonesia," *Cogent Education*, 2023, <https://doi.org/10.1080/2331186X.2023.2172930>.

⁵² Ust. Hadi, "Head of *Madrasah* Nahdatul Ilmi."

regulations that attempt to carry out this scientific integration. 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. **This** was acknowledged by one of the *madrasah* teachers in East Java who said that the lack of integration of religious and general curricula greatly hindered students and schools from advancing education, including progress in science and technology⁵³. 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. **This is** recognized as beneficial for individual students, especially in the communication process during classroom learning. According to the school principal, this can be realized because the government is very supportive of all the facilities needed for the school's progress⁵⁴.

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 evaluation⁵⁵. 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 education⁵⁶. Waghid said that the application of educational technology could make Islamic education more meaningful and interesting. **This** is because in 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 itself. 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 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.

⁵³ Ust. Zahri, "Guru Madrasah Diniyah Miftahul Ulum."

⁵⁴ Rahila Akhtar Husin, "Kepala Madrasah Sri & Tadika Abu Bakar As Siddiq Taman Sri Gombak, Batu Caves Malaysia."

⁵⁵ 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.

⁵⁶ 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>.

Table 1. Mapping Regulations on Education Development in Indonesia

No	Enacted Law	Level	Explanation
1.	Law Number 4 of 1950 in conjunction with Law Number 19 of 1954 concerning the Basics of Education and Teaching	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 Number 2 of 1989 and Law Number 20 of 2003 concerning 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 Number 12 of 2012 concerning Higher Education	National	Give universities the freedom to carry out comprehensive scientific development. Meanwhile, religious scholarship is regulated by the Ministry of Religion.
5	Law Number 23 of 2014 concerning Regional Government.	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	Government Regulation (PP) Number 57 of 2021 concerning National Education Standards	National	Regulates the implementation of education as a whole starting from implementation, evaluation and other developments.
7	Presidential Decree Number 87 of 2017 concerning Strengthening Character Education	National	Contains the authority to develop activities that develop the character of students
8	East Java Province Regional Regulation Number 9 of 2014 concerning 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	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 concerning the Education Delivery System.	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>

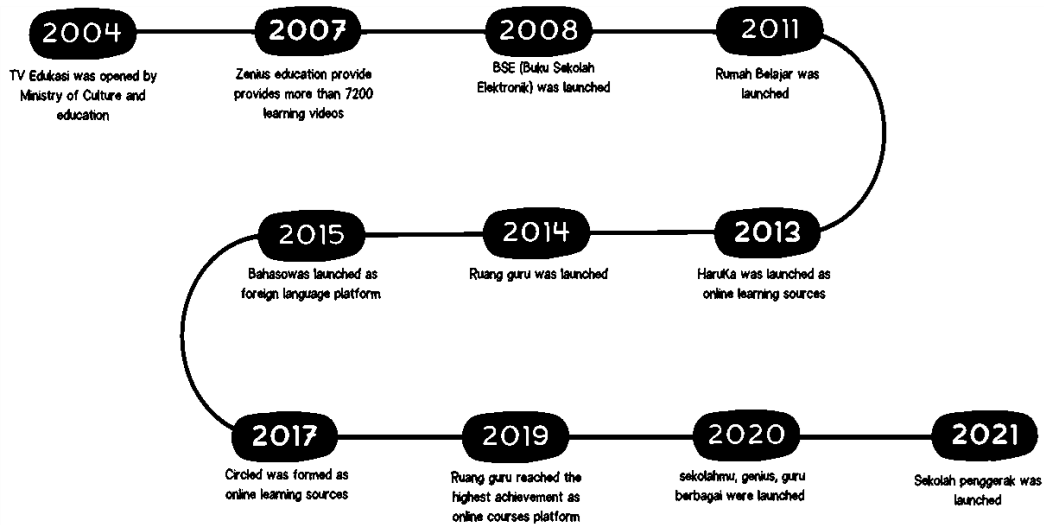
Based on Table 1, it can be seen that the Indonesian government has generally made written regulations regarding education management. Apart from managing education in general, the government has also specifically made various regulations related to the implementation of Islamic education. Regulations regarding the implementation of education have been designed from the 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	Decree of the Minister of Religion no. 183 of 2019 concerning Islamic education learning content	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	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 concerning the Education Implementation System.	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>

Based on the regulations presented in Table 1 and Table 2, it can be seen that the Indonesian government, through **ministries and regional governments**, has made regulations regarding the implementation of education. Therefore, the Ministry of Education and Culture is trying to improve existing learning resources in Indonesia. **According to data reported by UNICEF, the development of educational technology in Indonesia is very advanced, especially 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.



Sources: UNICEF report analysis on digital learning landscape in Indonesia contents⁵⁷

Figure 1. The development of EdTech in Indonesia

⁵⁷ UNICEF, ‘Report Analysis On Digital Learning Landscape In Indonesia Contents’, 2021, 112.

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. Unfortunately, **this** learning resource is only available for general subjects. The subjects written in the Islamic education curriculum have not been facilitated. Even if it had been facilitated, this would not be as massive as managed by the Ministry of Education and Culture, Research and Technology. In accordance with the mandate of KMA No. 183 of 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. **This** regulation then became the basis for developing an IT-based curriculum managed in Islamic education. Thus, educational organizations and teachers as central figures in education develop their own learning resources so that learning is still subjective, according to the teacher's abilities. **This** is why educational equality cannot be realized in all fields, general and religious.

In practice, the development of educational technology in the general and religious fields is very visible in its achievements. **As stated by Ust. K. Subkhi MD Miftahul Ulum Sumberjati said** that the policies conveyed by the head of the madrasah are also subjective and really depend on the point of view. However, currently, there have been changes in accordance with technological developments.

~~“Every leader in one institution or another must have policies, and in these policies, there must be good policies and bad policies. Good policies must be implemented and then maintained and developed by all teachers or educators. If there were bad policies, obviously this institution would have started to decline, but in reality, up to now, this institution is still growing and developing, which is a sign that the previous policies were good. On the other hand, if something is bad (not good), then it is because the times and developments in time are not in accordance with today.”~~⁵⁸

Based on the transcript, it appears that currently there are 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. 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 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:

~~“Here, the kiai (religious leader) always invites the community, especially community leaders, to think about madrasah development and resolve problems if there are any. For example, when there is an imtihan (examination in Islamic boarding school) plan, there must be a discussion. The deliberation did not decide immediately, but a plan was presented first and the ustadz (religious educator) were told to listen to the community's opinions and this would be discussed at the next meeting. Including the amount of tuition~~

⁵⁸ Ust. K. Subkhi ustadz MD Sumberjati, “Pengelolaan Madrasah Diniyah.”

fees, allowances and so on. So, the community feels that they have ownership of the madrasah (Islamic school)”.⁵⁹

From the transcript above, 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 these 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 visible⁶⁰. 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 competencies⁶¹. 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 Law⁶². Even today, the Ministry of Religion is trying to align with general education through various policies and projects that are currently progressing⁶³. 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.

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

2020	2021	2022	2023	2024
<ul style="list-style-type: none"> ▪ 35% of <i>madrasah</i> follow e-RKAM 	<ul style="list-style-type: none"> ▪ 35% of <i>madrasah</i> follow e-RKAM technical guidance; 			

⁵⁹ Ust. Junaidi, salah satu ustaz yang juga kepala dusun Sumberjati, wawancara 22 Mei 2021

⁶⁰ Harris Y P Sibuea, “Education System Renewal in Indonesia: Developments and Challenges,” *Jurnal Kajian* 22, no. 2 (2017): 151–62.

⁶¹ and Teguh Trianjung 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).

⁶² ACDP Indonesia, “Optimize the Role of the Government in Islamic Education” (Jakarta, 2017).

⁶³ REP-MEQR, “Madrasah Reform Kementerian Agama,” Kementerian Agama Republik Indonesia, 2020.

<ul style="list-style-type: none"> ▪ technical guidance; ▪ development of AKSI Madrasah tests and trials; ▪ development and testing of technical instructions for the KKG-MGMP-KKM Program, <i>Pokjawas</i>, and training program materials; ▪ development of the Ministry of Religion's education data collection system including software, hardware, and policies, including data accuracy audits. 	<ul style="list-style-type: none"> ▪ Training and socialization of AKSI <i>Madrasah</i>, ▪ 50% of MI (Islamic primary school) Grade 4 students participate in AKSI <i>Madrasah</i>; ▪ 50% of the Working Group of Teachers/Madrasah Heads/Supervisors implementing the KKG-MGMP-KKM Program, <i>Pokjawas</i>; ▪ 25% - 100% of teachers and education personnel participate in the training program; ▪ socialization of the data collection system, use of the data collection system, validation and audit of data accuracy. 	<ul style="list-style-type: none"> ▪ 30% of madrasahs take e-RKAM technical guidance; ▪ Training and socialization of AKSI <i>Madrasah</i>, ▪ 50% of MI (Islamic primary school) Grade 4 students participate in AKSI <i>Madrasah</i>; ▪ 100% of the Working Group of Teachers/Madrasah Heads/Supervisors implementing the KKG-MGMP-KKM Program, <i>Pokjawas</i>; ▪ 25% - 50% of teachers and education personnel participate in the training program; ▪ use data collection system, validation, and audit of data accuracy. 	<ul style="list-style-type: none"> ▪ 100% of madrasahs take e-RKAM technical guidance; ▪ 100% of MI (Islamic primary school) Grade 4 students participate in AKSI <i>Madrasah</i>; ▪ 100% of the Working Group of Teachers/Madrasah Heads/Supervisors implementing the KKG-MGMP-KKM Program, <i>Pokjawas</i>; ▪ 25% of principals of <i>madrasah</i> participate in the training program; ▪ use data collection system, validation, and audit of data accuracy. 	<ul style="list-style-type: none"> ▪ 100% of madrasahs take e-RKAM technical guidance; ▪ use data collection system, validation, and audit of data accuracy; ▪ evaluation and reporting all of projects activity, recommendation, result dissemination, and closing.
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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 2020⁶⁴. 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. This is in the following interview excerpt.

*“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.”*⁶⁵

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

⁶⁴ Annual Report, “Realizing Education ’ S Promise,” 2021.

⁶⁵ Shinta Dwi Rahayu, “Asesmen Kompetensi Madrasah Indonesia: Literasi Numerasi” (2023).

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 evaluating⁶⁶. Komar et al emphasized that control over a program must pay attention to three things, namely creating a design, implementing the design, and reflection⁶⁷. 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)⁶⁸. 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 Sciences⁶⁹. This can be seen in the narrative of a resource person who is one of the PKPPS organizers who said:

“The PKPPS implementation procedure is divided into two activities: yellow book learning activities in accordance with the Islamic boarding school curriculum to maintain the quality of the Islamic boarding school, and learning activities for additional national subjects such as Indonesian, Civic, Mathematics, English, Natural Sciences and Social Sciences. Local Islamic boarding school lessons are fully tested for standardization by the Islamic boarding school committee. Meanwhile, national lessons are tested online by the national examination team, with the imtihan wathoniy or national examination program. Participants were very enthusiastic. They view both types of exams as equally important. Moreover, the challenge of computer based online exams is added. The availability of computer units greatly influences the enthusiasm of students. Gratefully, we have computer units that are always ready to support the students’ activity, 30 for boys and 10 units for girls⁷⁰.”

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 PKPPS is 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

⁶⁶ Xia Qin, “Project Management and Project Action Plan,” *German Rector’s Conference*, 2018.

⁶⁷ 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).

⁶⁸ Direktorat Pendidikan Diniyah dan Pondok Pesantren, “Penyelenggaraan Pendidikan Kesetaraan Pada Pondok Pesantren Salafiyah,” N.D.

⁶⁹ Wawancara dengan Ust Mas’ud, penanggung jawab PKPPS PP Darul Jihad Cendana Kadur Pamekasan, tanggal 14 September 2022 di kantor PKPPS.

⁷⁰ Wawancara dengan Ust Mas’ud, penanggung jawab PKPPS PP Darul Jihad Cendana Kadur Pamekasan, tanggal 14 September 2022 di kantor PKPPS.

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:⁷¹

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		Klampis	C	2018
4	69951633	PPS. Syaichona Moh. Cholil		Bangkalan	B	2018
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 *madrasah* 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.

⁷¹ Document Data PKPPS institution Accreditation of 2018-2021 BAN_PAUD-PDF Jawa Timur

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 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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Do Governance of Decentralization Autonomy Regulation Affect Islamic Education Technological Innovation: Evidence from Muslim Countries

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Abstract;

Indonesia and Malaysia have different regulatory systems which have an impact on the development of education. These differences in understanding change the structure and order of rules in the Islamic education system of *Madrasah* (Islamic School) in the two countries. Therefore, this paper aims 1). map the forms of decentralization and centralization of the Islamic education system in Muslim countries such as Indonesia and Malaysia, 2). Describe the development of educational technology due to existing regulations, and 3). Describe the solutions taken by the government to problems that arise regarding the implementation of Islamic education. This article is based on data collected from observations, documentation, and interviews at eight *Madrasah* (Islamic Schools) in Indonesia and Malaysia. This qualitative research is based on primary data obtained from teachers and stakeholders. Meanwhile, secondary data was obtained from statutory regulations, research results, and other relevant documents. The research results show that, firstly, in terms of regulations the development of Islamic educational technology is very difficult to develop in Indonesia because there is dualism in regulation and management at the Ministry of Education and Culture and the Ministry of Religion. The decentralization system that has been in effect since 2014 with the enactment of the Regional Autonomy Law (UU) has not been fully successful because there are no clauses either at the Law or Regional Regulation (PERDA) level that regulate IT development in the field of Islamic education in detail. Second, the development of educational technology in Indonesia still experiencing dualism such as inequality in existing policies. Between education at the Ministry of Education and Culture and Islamic education is still not evenly distributed. This is different from education in Malaysia which already has a balanced proportion. Third, Malaysia has made efforts to integrate science and technology since primary school. In the last decade, various efforts and breakthroughs in the development of IT-based Islamic education have been carried out by the central government in Indonesia, namely by creating the *Madrasah* Reform program and the *Salaf* Islamic Boarding School Equality Program (PKPPS), although its implementation requires better optimization and equalization efforts.

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

Indonesia dan Malaysia mempunyai system regulasi berbeda yang berakibat pada perkembangan Pendidikan. Perbedaan pemahaman tersebut mengubah struktur dan tatanan aturan dalam sistem pendidikan Islam di Madrasah pada dua negara. Oleh karena itu, tulisan ini bertujuan 1). memetakan bentuk desentralisasi dan sentralisasi sistem pendidikan Islam di negara-negara Muslim seperti Indonesia dan Malaysia, 2). Mendeskripsikan perkembangan teknologi Pendidikan akibat regulasi yang ada, dan 3). Mendeskripsikan solusi yang diambil pemerintah atas permasalahan yang muncul tentang pelaksanaan Pendidikan Islam. Tulisan ini didasarkan pada data yang dikumpulkan dari hasil observasi, dokumentasi, wawancara pada delapan Madrasah (Sekolah Islam) di dua negara yakni Indonesia dan Malaysia. Penelitian kualitatif ini bersumber pada data primer yang diperoleh dari guru dan stakeholder. Sedangkan data sekunder diperoleh dari peraturan perundang-undangan, hasil riset serta dokumen lain yang relevan. Hasil penelitian memperlihatkan bahwa, yang pertama, secara regulasi pengembangan teknologi pendidikan Islam sangat sulit berkembang di Indonesia dikarenakan

terdapat dualisme regulasi dan manajemen pada Kemendikbud dan Kementerian Agama. Sistem desentralisasi yang sudah diberlakukan sejak tahun 2014 dengan berlakunya Undang-Undang (UU) adanya Otonomi Daerah belum sepenuhnya berhasil dikarenakan belum ada klausa baik dalam tingkatan UU atau Peraturan Daerah (PERDA) yang secara detail mengatur pengembangan IT dalam bidang pendidikan Islam. Kedua, perkembangan teknologi Pendidikan di Indonesia masih mengalami dualisme seperti ketimpangan pada kebijakan yang ada. Antara Pendidikan di kemdikbud dan Pendidikan Islam masih belum merata. Hal ini berbeda dengan Pendidikan di Malaysia yang sudah memiliki proporsi yang seimbang. 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 its 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}. Data shows that in the Dutch constitution 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. In fact, Malaysia is not only multi-cultural but also multi-racial, and multi-religious with a population of 50% Muslim and 10% non-Muslim (the latest and most accurate data from the Malaysian government). 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. 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

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 Chuah 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, "Madrasah 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>.

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, what is meant is that the regulations made by the government have a general purpose, creating educated Indonesian citizens and specifically, creating Indonesian citizens who have the 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. Since Law Number 23 was officially enacted, specifically regarding the implementation of education, including Islamic education, it was officially delegated through Regional Regulations (PERDA). Several literatures state that this delegation of power will cause many problems in the future, especially how to create a standard curriculum¹⁰,¹¹ especially 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 very centralized¹³ with the center of power in the Ministry of Home Affairs and the United Malay Nationality Organization (UMNO). 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.

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>.

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

¹¹ Firman Mansir, "The Position of Islamic Education According to 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/10.1016/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>.

Meanwhile, the second is simply carrying 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, namely 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, namely how students understand various rules, which then crystallizes into a consistent moral value (*akhlak*)^{21, 22}. This crystallization of moral values is also explicitly stated in Article 11 Paragraph 1 of Pamekasan Regency Regional Regulation Number 8 of 2014, namely that 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. *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, infrastructure²⁵, curriculum²⁶, human resources for both teachers and students, and technology²⁷.

The role of policymakers, especially 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

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>.

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

²⁶ 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>.

²⁷ Daryanes et al., "The Development of Articulate Storyline Interactive Learning Media Based on Case Methods to Train Student's Problem-Solving Ability."

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, specifically the 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-integration²⁸ in its national education system. Specifically, 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 framework, especially regarding the development of educational technology in Muslim countries; (c) What are the government's efforts to decentralize the regulation of the Islamic education system, especially 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, specifically 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, decentralization and centralization of regulations, especially in technological developments, is a matter that is produced and reproduced in the Islamic education system in Muslim countries.

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 analyzed according to Miles, Huberman, and Saldana which consists of 4 stages. The stages of data analysis are shown in Figure 1.

²⁸ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia," 29.

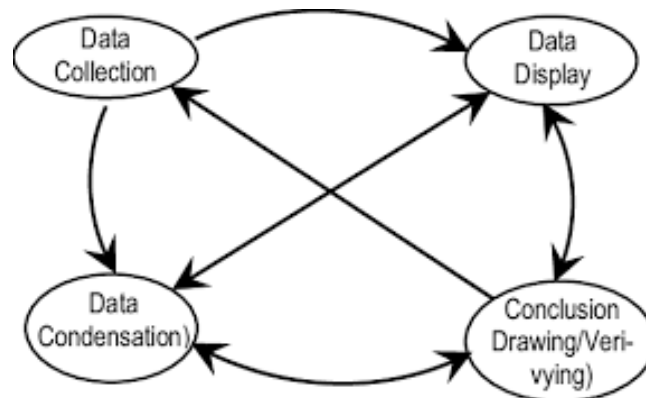


Figure 1. Interactive analysis during research

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 stage²⁹.

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 dualism³⁰. 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 binding³¹, 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 against each other between our desires as people who understand Islamic education and the government, so these regulations made us confused³². This 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 direction³³ with multi-approaches. The multi-approach refers to is by incorporating several religious subjects into several national or public schools, such as Arabic language subjects, the *Al-quran Sunnah*, and Islamic Sharia³⁴. The scientific integration in

²⁹ Hans Gerd Ridder et al., "Qualitative Data Analysis. A Methods Sourcebook," *Zeitschrift Fur Personalforschung*, 2014.

³⁰ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

³¹ Jonathan M.B. Stern 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>.

³² K. Mohammad Toyyib, "Head of Madrasah."

³³ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

³⁴ Ishak and Abdullah, "Islamic Education in Malaysia: A Study of History and Development."

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 practiced³⁵ ³⁶. This shows that the constitution in Malaysia provides a special space and has a high and important position³⁷ which is directly monitored by an institution called *Jabatan Kemajuan Islam (JAKIM)* which leads to the supreme ruler called *Raja Yang Dipertuan Agung*. This 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 *fardhu kifayah* and *fardhu 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 education³⁸.

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 aspects³⁹ as a unit. In the regulations, technically the education system in Malaysia falls under the authority⁴⁰ of the Ministry of Education which is formulated⁴¹ 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 Malaysia⁴². This 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 process.

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 Aceh and Yogyakarta. In fact, the equity aspect⁴³ in educational decentralization is very important and is a key factor in the success of the educational sector. Although in the explanation of the

³⁵ Isa Ansori, "Kedudukan Fatwa Di Beberapa Negara Muslim (Malaysia, Brunei Darussalam Dan Mesir)," *Analisis: Jurnal Studi Keislaman*, 2017, 142, <https://doi.org/10.24042/ajsk.v17i1.1790>.

³⁶ Ishak and Abdullah, "Islamic Education in Malaysia: A Study of History and Development."

³⁷ Ishak and Abdullah.

³⁸ Rahila Akhtar Husin, "Kepala Madrasah Sri & Tadika Abu Bakar As Siddiq Taman Sri Gombak, Batu Caves Malaysia" (2023).

³⁹ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia."

⁴⁰ Ostwald, "Federalism without Decentralization Power Consolidation in Malaysia."

⁴¹ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia."

⁴² Abdul Qowi Arwas, "Kepala Madrasah Manbaul Uloom Kuala Lumpur Malaysia" (2023).

⁴³ 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>.

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 space⁴⁴ 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"⁴⁵.

Then the rules regarding Islamic education in Indonesia are very complex⁴⁶. 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 situations⁴⁷. 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*"^{48, 49, 50}. This results in *Madrasah* students having a greater learning burden⁵¹ 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. This 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 boarding school graduates, besides that the community environment here is also religious⁵². Second, how can the state incorporate general knowledge, especially science and technology, into the Islamic education curriculum and learning. This is difficult to do considering that there are no

⁴⁴ 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.

⁴⁵ Ust. Hadi, "Head of *Madrasah* Nahdatul Ilmi."

⁴⁶ Stern and Smith, "Private Secondary Schools in Indonesia: What Is Driving the Demand?"

⁴⁷ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

⁴⁸ Ust. Zahri, "Guru *Madrasah* Diniyah Miftahul Ulum."

⁴⁹ K. Ahmad Qusyairi, "Head of *Madrasah*."

⁵⁰ K. Mohammad Toyyib, "Head of *Madrasah*."

⁵¹ Mohammad Kosim et al., "The Dynamics of Islamic Education Policies in Indonesia," *Cogent Education*, 2023, <https://doi.org/10.1080/2331186X.2023.2172930>.

⁵² Ust. Hadi, "Head of *Madrasah* Nahdatul Ilmi."

regulations that attempt to carry out this scientific integration. 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. This was acknowledged by one of the *madrasah* teachers in East Java who said that the lack of integration of religious and general curricula greatly hindered students and schools from advancing education, including progress in science and technology⁵³. 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. This is recognized as beneficial for individual students, especially in the communication process during classroom learning. According to the school principal, this can be realized because the government is very supportive of all the facilities needed for the school's progress⁵⁴.

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 evaluation⁵⁵. 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 education⁵⁶. Waghid said that the application of educational technology could make Islamic education more meaningful and interesting. This is because in 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 itself. 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 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.

⁵³ Ust. Zahri, "Guru Madrasah Diniyah Miftahul Ulum."

⁵⁴ Rahila Akhtar Husin, "Kepala Madrasah Sri & Tadika Abu Bakar As Siddiq Taman Sri Gombak, Batu Caves Malaysia."

⁵⁵ 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.

⁵⁶ 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>.

Table 1. Mapping Regulations on Education Development in Indonesia

No	Enacted Law	Level	Explanation
1.	Law Number 4 of 1950 in conjunction with Law Number 19 of 1954 concerning the Basics of Education and Teaching	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 Number 2 of 1989 and Law Number 20 of 2003 concerning 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 Number 12 of 2012 concerning Higher Education	National	Give universities the freedom to carry out comprehensive scientific development. Meanwhile, religious scholarship is regulated by the Ministry of Religion.
5	Law Number 23 of 2014 concerning Regional Government.	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	Government Regulation (PP) Number 57 of 2021 concerning National Education Standards	National	Regulates the implementation of education as a whole starting from implementation, evaluation and other developments.
7	Presidential Decree Number 87 of 2017 concerning Strengthening Character Education	National	Contains the authority to develop activities that develop the character of students
8	East Java Province Regional Regulation Number 9 of 2014 concerning 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	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 concerning the Education Delivery System.	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>

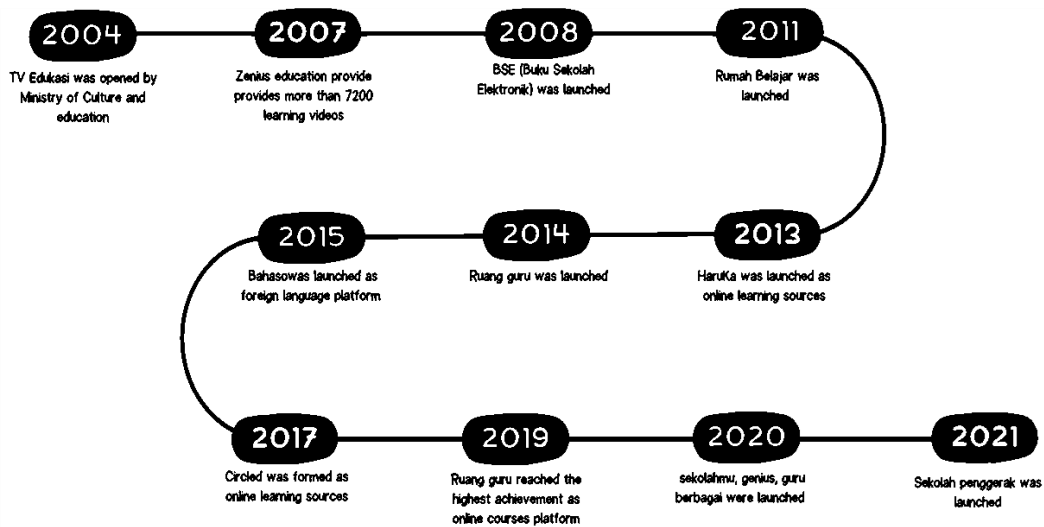
Based on Table 1, it can be seen that the Indonesian government has generally made written regulations regarding education management. Apart from managing education in general, the government has also specifically made various regulations related to the implementation of Islamic education. Regulations regarding the implementation of education have been designed from the 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	Decree of the Minister of Religion no. 183 of 2019 concerning Islamic education learning content	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	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 concerning the Education Implementation System.	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>

Based on the regulations presented in Table 1 and Table 2, it can be seen that the Indonesian government, through ministries and regional governments, has made regulations regarding the implementation of education. Therefore, the Ministry of Education and Culture is trying to improve existing learning resources in Indonesia. According to data reported by UNICEF, the development of educational technology in Indonesia is very advanced, especially 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.



Sources: UNICEF report analysis on digital learning landscape in Indonesia contents⁵⁷

Figure 1. The development of EdTech in Indonesia

⁵⁷ UNICEF, 'Report Analysis On Digital Learning Landscape In Indonesia Contents', 2021, 112.

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. Unfortunately, this learning resource is only available for general subjects. The subjects written in the Islamic education curriculum have not been facilitated. Even if it had been facilitated, this would not be as massive as managed by the Ministry of Education and Culture, Research and Technology. In accordance with the mandate of KMA No. 183 of 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. This regulation then became the basis for developing an IT-based curriculum managed in Islamic education. Thus, educational organizations and teachers as central figures in education develop their own learning resources so that learning is still subjective, according to the teacher's abilities. This is why educational equality cannot be realized in all fields, general and religious.

In practice, the development of educational technology in the general and religious fields is very visible in its achievements. As stated by Ust. K. Subkhi MD Miftahul Ulum Sumberjati said that the policies conveyed by the head of the madrasah are also subjective and really depend on the point of view. However, currently, there have been changes in accordance with technological developments.

“Every leader in one institution or another must have policies, and in these policies, there must be good policies and bad policies. Good policies must be implemented and then maintained and developed by all teachers or educators. If there were bad policies, obviously this institution would have started to decline, but in reality, up to now, this institution is still growing and developing, which is a sign that the previous policies were good. On the other hand, if something is bad (not good), then it is because the times and developments in time are not in accordance with today.”⁵⁸

Based on the transcript, it appears that currently there are 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. 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 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:

“Here, the kiai (religious leader) always invites the community, especially community leaders, to think about madrasah development and resolve problems if there are any. For example, when there is an imtihan (examination in Islamic boarding school) plan, there must be a discussion. The deliberation did not decide immediately, but a plan was presented first and the ustadz (religious educator) were told to listen to the community's opinions and this would be discussed at the next meeting. Including the amount of tuition

⁵⁸ Ust. K. Subkhi ustadz MD Sumberjati, “Pengelolaan Madrasah Diniyah.”

*fees, allowances and so on. So, the community feels that they have ownership of the madrasah (Islamic school) ”*⁵⁹

From the transcript above, 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 these 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 visible⁶⁰. 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 competencies⁶¹. 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 Law⁶². Even today, the Ministry of Religion is trying to align with general education through various policies and projects that are currently progressing⁶³. 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.

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

2020	2021	2022	2023	2024
<ul style="list-style-type: none"> ▪ 35% of <i>madrasah</i> follow e-RKAM 	<ul style="list-style-type: none"> ▪ 35% of <i>madrasah</i> follow e-RKAM technical guidance; 			

⁵⁹ Ust. Junaidi, salah satu ustad yang juga kepala dusun Sumberjati, wawancara 22 Mei 2021

⁶⁰ Harris Y P Sibuea, “Education System Renewal in Indonesia: Developments and Challenges,” *Jurnal Kajian* 22, no. 2 (2017): 151–62.

⁶¹ 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).

⁶² ACDP Indonesia, “Optimize the Role of the Government in Islamic Education” (Jakarta, 2017).

⁶³ REP-MEQR, “Madrasah Reform Kementerian Agama,” Kementerian Agama Republik Indonesia, 2020.

<ul style="list-style-type: none"> ▪ technical guidance; ▪ development of AKSI Madrasah tests and trials; ▪ development and testing of technical instructions for the KKG-MGMP-KKM Program, <i>Pokjawas</i>, and training program materials; ▪ development of the Ministry of Religion's education data collection system including software, hardware, and policies, including data accuracy audits. 	<ul style="list-style-type: none"> ▪ Training and socialization of AKSI <i>Madrasah</i>, ▪ 50% of MI (Islamic primary school) Grade 4 students participate in AKSI <i>Madrasah</i>; ▪ 50% of the Working Group of Teachers/Madrasah Heads/Supervisors implementing the KKG-MGMP-KKM Program, <i>Pokjawas</i>; ▪ 25% - 100% of teachers and education personnel participate in the training program; ▪ socialization of the data collection system, use of the data collection system, validation and audit of data accuracy. 	<ul style="list-style-type: none"> ▪ 30% of madrasahs take e-RKAM technical guidance; ▪ Training and socialization of AKSI <i>Madrasah</i>, ▪ 50% of MI (Islamic primary school) Grade 4 students participate in AKSI <i>Madrasah</i>; ▪ 100% of the Working Group of Teachers/Madrasah Heads/Supervisors implementing the KKG-MGMP-KKM Program, <i>Pokjawas</i>; ▪ 25% - 50% of teachers and education personnel participate in the training program; ▪ use data collection system, validation, and audit of data accuracy. 	<ul style="list-style-type: none"> ▪ 100% of madrasahs take e-RKAM technical guidance; ▪ 100% of MI (Islamic primary school) Grade 4 students participate in AKSI <i>Madrasah</i>; ▪ 100% of the Working Group of Teachers/Madrasah Heads/Supervisors implementing the KKG-MGMP-KKM Program, <i>Pokjawas</i>; ▪ 25% of principals of <i>madrasah</i> participate in the training program; ▪ use data collection system, validation, and audit of data accuracy. 	<ul style="list-style-type: none"> ▪ 100% of madrasahs take e-RKAM technical guidance; ▪ use data collection system, validation, and audit of data accuracy; ▪ evaluation and reporting all of projects activity, recommendation, result dissemination, and closing.
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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 2020⁶⁴. 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. This is in the following interview excerpt.

*“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.”*⁶⁵

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

⁶⁴ Annual Report, “Realizing Education ’ S Promise,” 2021.

⁶⁵ Shinta Dwi Rahayu, “Asesmen Kompetensi Madrasah Indonesia: Literasi Numerasi” (2023).

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 evaluating⁶⁶. Komar et al emphasized that control over a program must pay attention to three things, namely creating a design, implementing the design, and reflection⁶⁷. 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)⁶⁸. 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 Sciences⁶⁹. This can be seen in the narrative of a resource person who is one of the PKPPS organizers who said:

“The PKPPS implementation procedure is divided into two activities: yellow book learning activities in accordance with the Islamic boarding school curriculum to maintain the quality of the Islamic boarding school, and learning activities for additional national subjects such as Indonesian, Civic, Mathematics, English, Natural Sciences and Social Sciences. Local Islamic boarding school lessons are fully tested for standardization by the Islamic boarding school committee. Meanwhile, national lessons are tested online by the national examination team, with the imtihan wathoniy or national examination program. Participants were very enthusiastic. They view both types of exams as equally important. Moreover, the challenge of computer-based online exams is added. The availability of computer units greatly influences the enthusiasm of students. Gratefully, we have computer units that are always ready to support the students’ activity, 30 for boys and 10 units for girls⁷⁰.”

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 PKPPS is 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

⁶⁶ Xia Qin, “Project Management and Project Action Plan,” *German Rector’s Conference*, 2018.

⁶⁷ 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).

⁶⁸ Direktorat Pendidikan Diniyah dan Pondok Pesantren, “Penyelenggaraan Pendidikan Kesetaraan Pada Pondok Pesantren Salafiyah,” N.D.

⁶⁹ Wawancara dengan Ust Mas’ud, penanggung jawab PKPPS PP Darul Jihad Cendana Kadur Pamekasan, tanggal 14 September 2022 di kantor PKPPS.

⁷⁰ Wawancara dengan Ust Mas’ud, penanggung jawab PKPPS PP Darul Jihad Cendana Kadur Pamekasan, tanggal 14 September 2022 di kantor PKPPS.

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.⁷¹

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		Klampis	C	2018
4	69951633	PPS. Syaichona Moh. Cholil		Bangkalan	B	2018
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 *madrasah* 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.

⁷¹ Document Data PKPPS institution Accreditation of 2018-2021 BAN_PAUD-PDF Jawa Timur

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 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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Decentralization Autonomy Regulation in Islamic Education: Technological 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 educational 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; Otonomi; Regulasi; Pendidikan Islam; Teknologi; Negara Muslim*

1. Introduction

In the history of development¹, 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^{2, 3}. 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 subjects⁴. 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 position⁵, 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^{6, 7, 8}. 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 piety⁹. 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

¹ A. Suradi, "The Social, Political, and Cultural Perspective of Islamic Education in Palembang Malay: A Continuous Evaluation from the Dutch Colonial Period to Today," *Journal of Ethnic and Cultural Studies*, 2022, 57, <https://doi.org/10.29333/ejecs/1200>.

² 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>.

³ Mohd Shuhaimi Bin Haji Ishak and Osman Chuah Abdullah, "Islamic Education in Malaysia: A Study of History and Development," *Religious Education*, 2013, <https://doi.org/10.1080/00344087.2013.783362>.

⁴ 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>.

⁵ 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>.

⁶ 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>.

⁷ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

⁸ 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>.

⁹ Nurtawab and Wahyudi, "Restructuring Traditional Islamic Education in Indonesia: Challenges for Pesantren Institution."

such as creating educated Indonesian citizens and fostering good characters for Indonesian in dimensions of faith, piety, and morals¹⁰. 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 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 curriculum¹¹, ¹² how to formulate and implement a technology-based curriculum¹³.

If in Indonesia the education system, including Islamic education, is very decentralized, then the education system in Malaysia nationally is centralized¹⁴ with in the federation state. As a federated country with thirteen federal countries, Malaysia administratively¹⁵ has nine areas of centralization, including education. In the context of centralized system regulation, this can have both negative¹⁶ and positive effects. Negative in the sense that, in terms of regulations¹⁷, 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 stakeholders¹⁸ can understand and implement a curriculum that is appropriate for students, including how to incorporate a technology-based curriculum¹⁹. 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 harmony²⁰.

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 2-5, 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

¹⁰ 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>.

¹¹ Akrim et al., "Transformation of Islamic Education Curriculum Development Policy in the National Education System."

¹² Firman Mansir, "The Position of Islamic Education According to the National Educational System in Indonesia," *Progresiva : Jurnal Pemikiran Dan Pendidikan Islam*, 2022, 50, <https://doi.org/10.22219/progresiva.v11i01.20416>.

¹³ 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/10.1016/j.heliyon.2023.e15082>.

¹⁴ Kai Ostwald, "Federalism without Decentralization Power Consolidation in Malaysia," *Journal of Southeast Asian Economies*, 2017, <https://doi.org/10.1355/ae34-3d>.

¹⁵ Ostwald.

¹⁶ Ostwald.

¹⁷ Ostwald.

¹⁸ 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>.

¹⁹ 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>.

²⁰ Lubis and Sanjaya.

how to develop education according to the character of each region. According to experts, character education is the basis²¹ and main characteristic of education. Interestingly, there is an aspect of autonomy in this character, such as how students understand various rules, which then crystallizes into a consistent moral value (akhlak)^{22, 23}. 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 times²⁴ has raised various problems, one of which is currently being faced is the problem of how to apply its technology²⁵. In its implementation, the government, in a decentralized or centralized government, as well as a federal state, prepares detailed²⁶ 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 integrative²⁷, 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, infrastructure²⁸, curriculum²⁹, human resources for both teachers and students, and technology³⁰. In terms of infrastructure, in order to achieve advanced Islamic education, it is necessary to have similar regulations, specifically subsidy³¹ regulations, Islamic and general schools will have similarities in terms of teacher quality, student quality, class facilities, and others. For example,

²¹ 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>.

²² 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>.

²³ Hastasari, Setiawan, and Aw, "Students' Communication Patterns of Islamic Boarding Schools: The Case of Students in Muallimin Muhammadiyah Yogyakarta."

²⁴ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

²⁵ Daryanes et al., "The Development of Articulate Storyline Interactive Learning Media Based on Case Methods to Train Student's Problem-Solving Ability."

²⁶ Mohammad Kosim et al., "The Dynamics of Islamic Education Policies in Indonesia," *Cogent Education*, 2023, 8, <https://doi.org/10.1080/2331186X.2023.2172930>.

²⁷ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia," 24.

²⁸ Akrim et al., "Transformation of Islamic Education Curriculum Development Policy in the National Education System."

²⁹ 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>.

³⁰ Daryanes et al., "The Development of Articulate Storyline Interactive Learning Media Based on Case Methods to Train Student's Problem-Solving Ability."

³¹ Jakhongir Shaturaev, "A Comparative Analysis of Public Education System of Indonesia and Uzbekistan," *Bioscience Biotechnology Research Communications*, 2021, 61, <https://doi.org/10.21786/bbrc/14.5/18>.

the curriculum in Brunei Darussalam through the 1972 education commissioner which was amended in 1985 prepared all textbook tools, especially science textbooks, which were integrated³² with in Islam.

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-integration³³ 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 framework regarding the development of educational technology in Muslim countries; (c) What are the government's efforts to decentralize the regulation of the Islamic education system 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

³² 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.

³³ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia," 29.

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.

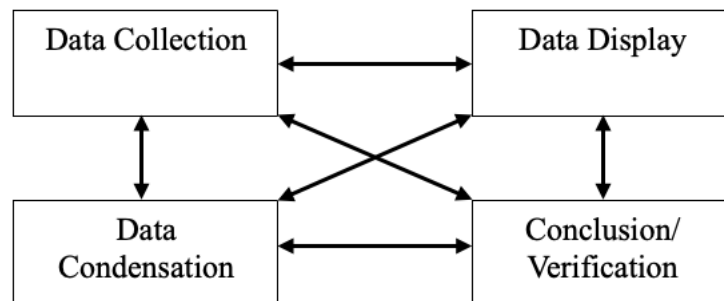


Figure 1. Interactive analysis during research

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 stage³⁴.

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 dualism³⁵. 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. Dualism regulation and management, which is nationally binding³⁶, 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 against each other between our desires as people who understand Islamic education and the government, so these regulations made us confused³⁷. 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

³⁴ Hans Gerd Ridder et al., "Qualitative Data Analysis. A Methods Sourcebook," *Zeitschrift Fur Personalforschung*, 2014.

³⁵ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

³⁶ Jonathan M.B. Stern 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>.

³⁷ K. Mohammad Toyyib, "Head of Madrasah."

is currently moving in an integrative direction³⁸ with multi-approaches. The multi-approach refers to is by incorporating several religious subjects into several national or public schools, such as Arabic language subjects, the *Al-quran Sunnah*, and Islamic Sharia³⁹. 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^{40 41}. This shows that the constitution in Malaysia provides a special space and has a high and important position⁴² 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 *fardhu kifayah* and *fardhu 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 education⁴³.

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 aspects⁴⁴ as a unit. In the regulations, technically the education system in Malaysia falls under the authority⁴⁵ of the Ministry of Education which is formulated⁴⁶ 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 Malaysia⁴⁷. 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 process.

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

³⁸ Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

³⁹ Ishak and Abdullah, "Islamic Education in Malaysia: A Study of History and Development."

⁴⁰ Isa Ansori, "Kedudukan Fatwa Di Beberapa Negara Muslim (Malaysia, Brunei Darussalam Dan Mesir)," *Analisis: Jurnal Studi Keislaman*, 2017, 142, <https://doi.org/10.24042/ajsk.v17i1.1790>.

⁴¹ Ishak and Abdullah, "Islamic Education in Malaysia: A Study of History and Development."

⁴² Ishak and Abdullah.

⁴³ Rahila Akhtar Husin, "Kepala Madrasah Sri & Tadika Abu Bakar As Siddiq Taman Sri Gombak, Batu Caves Malaysia" (2023).

⁴⁴ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia."

⁴⁵ Ostwald, "Federalism without Decentralization Power Consolidation in Malaysia."

⁴⁶ Lubis and Sanjaya, "The Existence Of Integrated Islamic Education In Malaysia."

⁴⁷ Abdul Qowi Arwas, "Kepala Madrasah Manbaul Uloom Kuala Lumpur Malaysia" (2023).

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 Aceh and Yogyakarta. In fact, the equity aspect⁴⁸ 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 space⁴⁹ 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"⁵⁰.

Afterward, the rules regarding Islamic education in Indonesia are very complex⁵¹. 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 situations⁵². 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*"^{53, 54, 55}. This report shows that *Madrasah* students have a greater learning obstacles⁵⁶ 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

⁴⁸ 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>.

⁴⁹ 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.

⁵⁰ Ust. Hadi, "Head of Madrasah Nahdatul Ilmi."

⁵¹ Stern and Smith, "Private Secondary Schools in Indonesia: What Is Driving the Demand?"

⁵² Mas'ud, Fuad, and Zaini, "Evolution and Orientation of Islamic Education in Indonesia and Malaysia."

⁵³ Ust. Zahri, "Guru Madrasah Diniyah Miftahul Ulum."

⁵⁴ K. Ahmad Qusyairi, "Head of Madrasah."

⁵⁵ K. Mohammad Toyyib, "Head of Madrasah."

⁵⁶ Kosim et al., "The Dynamics of Islamic Education Policies in Indonesia."

Madrasa 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 boarding school graduates, besides that the community environment here is also religious⁵⁷. 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.⁵⁸ 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 progress⁵⁹.

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 evaluation⁶⁰. 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 education⁶¹. 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.

⁵⁷ Ust. Hadi, "Head of Madrasah Nahdatul Ilmi."

⁵⁸ Ust. Zahri, "Guru Madrasah Diniyah Miftahul Ulum."

⁵⁹ Rahila Akhtar Husin, "Kepala Madrasah Sri & Tadika Abu Bakar As Siddiq Taman Sri Gombak, Batu Caves Malaysia."

⁶⁰ 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.

⁶¹ 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>.

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 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>

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

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

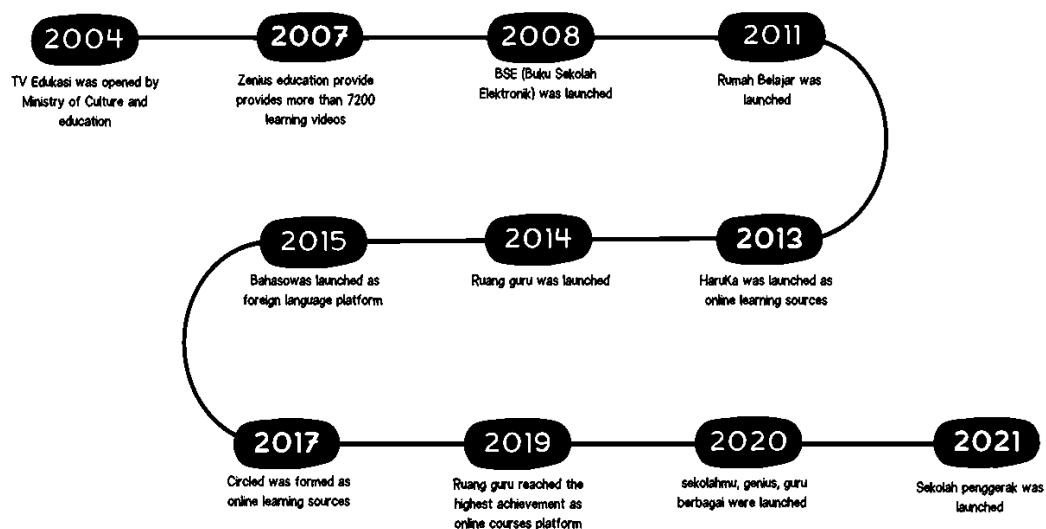
No	Enacted Law	Level	Explanation
1	The Minister of Religion's Decree No. 183 of 2019 pertaining to Islamic education curriculum	National	Regulates the content that must be contained in Islamic education subjects. There are no detailed regulations regarding the development of educational management and technology.
2	Concerning the Education Implementation 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>

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 major⁶². This regulation then leads to the existence of technology-used as one of core competencies during learning activities⁶³. Therefore, the 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.

⁶² Ferry Doringin, Simon Wenehen, 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/10.2991/assehr.k.220404.171>.

⁶³ 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 contents⁶⁴

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. Regretfully, this educational tool is restricted to general subjects only. There has been no facilitation of the subjects included in the Islamic education curriculum. Even if it had been facilitated, this would not be as massive as managed by the Ministry of Education and Culture, Research and Technology. In accordance with the mandate of KMA No. 183 of 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

⁶⁴ 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 visible⁶⁵. 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 competencies⁶⁶. 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 Law⁶⁷. Even today, the Ministry of Religion is trying to align with general education through various policies and projects that are currently progressing⁶⁸. 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.

Tabel 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- 	

⁶⁵ Harris Y P Sibuea, “Education System Renewal in Indonesia: Developments and Challenges,” *Jurnal Kajian* 22, no. 2 (2017): 151–62.

⁶⁶ 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).

⁶⁷ ACDP Indonesia, “Optimize the Role of the Government in Islamic Education” (Jakarta, 2017).

⁶⁸ 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. 	<ul style="list-style-type: none"> ▪ RKAM is followed by 100% of madrasahs. Data collection systems, validation, and audits of data accuracy are used. ▪ 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 2020⁶⁹. 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 evaluating⁷⁰. Komar et al emphasized that control over a program must pay attention to three

⁶⁹ Annual Report, "Realizing Education ' S Promise," 2021.

⁷⁰ Xia Qin, "Project Management and Project Action Plan," *German Rector's Conference*, 2018.

things, namely creating a design, implementing the design, and reflection⁷¹. 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)⁷². 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 Sciences⁷³.

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 PKPPS is 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:⁷⁴

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

⁷¹ and Pavlo V. Diachuk Komar, Olha A., Oleh S. Komar, Natalia A. Kolomiiets, 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).

⁷² Direktorat Pendidikan Diniyah dan Pondok Pesantren, "Penyelenggaraan Pendidikan Kesetaraan Pada Pondok Pesantren Salafiyah," n.d.

⁷³ Wawancara dengan Ust Mas'ud, penanggung jawab PKPPS PP Darul Jihad Cendana Kadur Pamekasan, tanggal 14 September 2022 di kantor PKPPS.

⁷⁴ 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 *madrasah* 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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