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Legal Basis of Education: Regulations and Policies in Education System in Indonesia

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Abstract

The legal foundation of education is an essential aspect in the implementation of the national education system. The existence of regulations and educational policies serves as a guideline to ensure the provision of education that is fair, equitable, and of high quality. This study aims to analyze the legal foundations of education as well as the regulations and policies governing the education system in Indonesia. The method used is library research by examining various literature sources, including books, journals, and legislation. The results of the study indicate that the legal foundation of education in Indonesia is derived from the 1945 Constitution, the National Education System Law, and various government regulations and other technical policies. Educational policies play a strategic role in improving the quality of education and adapting the education system to the development of the times.

Keywords: legal foundation; education; regulation

INTRODUCTION

Education is a conscious, planned, and continuous process designed to develop the full potential of students. This process is not solely oriented towards cognitive aspects, but also encompasses the development of affective and psychomotor aspects, so that students are able to achieve a balance between intellectual intelligence, spiritual strength, noble morals, and the skills needed in everyday life. Thus, education plays a vital role in shaping a complete human character, personality, and the ability to adapt to the ever-changing developments in science, technology, and social dynamics. Therefore, education cannot be viewed as a spontaneous activity, but must be implemented systematically and with direction.

In its implementation, education requires a strong foundation so that the established goals can be achieved optimally. One very important foundation is the legal basis, which serves as the basis for regulating, directing, and providing certainty in the implementation of the national education system. This legal basis includes various laws and regulations, government policies, and other technical regulations that are interrelated and form an integrated system. With a clear legal basis, the implementation of education can proceed in an orderly, structured manner, and have a definite direction in accordance with the goals of national education. Furthermore, the legal basis also plays a role in protecting the rights and obligations of all parties involved in the educational process, including students, educators, education personnel, and the government as the organizer.

Ideally, the Indonesian education system is expected to provide broad, fair, and equitable access to all citizens, regardless of social, economic, cultural, or geographic background. Quality education is expected to be accessible to all levels of society, thereby creating superior and highly competitive human resources. However, in reality, various challenges remain in the implementation of education in Indonesia. One of the main issues is the inequality in access to education, particularly between urban and rural or remote areas. Limited facilities and infrastructure, a lack of qualified teaching staff, and a lack of supporting facilities are factors contributing to the uneven distribution of education quality across regions.

Furthermore, another significant issue is the unequal distribution of education quality. Although numerous improvements have been made through government programs, such as improving teacher competency, developing curricula, and providing educational facilities, the results are still not entirely equitable. Differences in education quality between regions, and even between schools within a single region, remain a reality that is difficult to avoid. This demonstrates that the national education system still faces challenges in achieving uniform quality standards across Indonesia. Furthermore, dynamic changes in education policy often create confusion in their implementation. Curriculum changes, evaluation system changes, and other policy adjustments require readiness from various parties for effective implementation.

This situation demonstrates a gap between ideal expectations and the reality on the ground. On the one hand, education is expected to be the primary means of improving the

quality of human resources and driving national progress. However, on the other hand, various obstacles still hinder the full achievement of these goals. Therefore, comprehensive and sustainable efforts are needed to address these challenges, one of which is through strengthening the legal framework for education. A strong and consistent legal framework will provide a foundation for formulating more targeted policies that address community needs.

Based on this description, a study of the legal basis for education is crucial. This study will provide a deeper understanding of the legal basis governing the implementation of education in Indonesia, from the constitution to operational technical regulations. Furthermore, this study aims to analyze the role of education regulations and policies in directing and improving the quality of the national education system. A comprehensive understanding of the legal basis for education is expected to contribute to creating a more just, equitable, and high-quality education system.

This study is expected to provide insight into the importance of synchronizing regulations, policies, and implementation in the field. Law serves not only as a normative rule but also as a strategic instrument for driving change and improvement in the education system. Therefore, a clear, consistent, and adaptive legal basis is essential for the national education system to be able to face various global challenges, such as the development of digital technology, changing workplace needs, and socio-cultural dynamics. In this way, education in Indonesia can continue to develop and contribute to creating a superior, character-driven generation that is ready to face the future.

RESEARCH METHODS

This research uses a qualitative approach aimed at understanding and deeply examining various concepts, theories, and regulations related to the legal basis of education. The type of research used is library research, which focuses on collecting and analyzing data sourced from various written literature. Data sources in this study include scientific books, academic journals, previous research results, and official documents in the form of laws and regulations relevant to the system and legal basis of education in Indonesia. By utilizing these sources, this research seeks to obtain a comprehensive and systematic understanding of the legal framework underlying the implementation of education.

The data collection technique was conducted through documentation studies, which involved searching, collecting, and reviewing various documents and literature related to the research topic. This process involved not only collecting data but also critical reading, noting key points, and grouping information based on specific themes or categories. This ensured that the data obtained was truly relevant and supported the study's focus on the legal basis for education. Furthermore, the researcher selected the sources used to ensure the accuracy, credibility, and relevance of the information analyzed.

The collected data was then analyzed using qualitative descriptive techniques. This analysis was conducted by systematically describing the data, comparing various opinions or provisions contained in different sources, and interpreting their meaning. Through this process, researchers were able to identify relationships between concepts, discover specific patterns, and draw conclusions relevant to the research focus. The qualitative descriptive approach enabled researchers to provide in-depth and detailed explanations of the legal basis for education, ensuring that the research results were not only informative but also analytical.

The method used in this research is considered appropriate for the characteristics of educational foundation studies, which are generally conceptual and normative, as studied in lectures. The library approach provides researchers with the freedom to explore various existing theories, concepts, and regulations, then examine and relate them to the real conditions in educational administration. Thus, this research is expected to provide a broader and more in-depth picture of the importance of legal foundations as a basis for formulating and implementing education policies in Indonesia.

RESULTS and DISCUSSION

Understanding the Legal Basis for Education

The legal basis for education is the primary foundation for the implementation of education, derived from various applicable laws and regulations. This legal basis not only provides legitimacy or a formal legal basis, but also serves as a normative framework that governs the entire educational process. Through this legal basis, every educational activity, whether related to planning, implementation, management, or evaluation, has a clear, directed, and accountable basis. This is crucial to ensure that education is not haphazardly implemented but rather aligns with the formulated national goals of educating the nation and

developing individuals who are faithful, knowledgeable, and virtuous.(Saputra, 2020).

Furthermore, the legal basis for education also serves as a controlling instrument within the education system. This means that various educational policies and practices must adhere to established rules to prevent deviations in their implementation. This legal basis encompasses various levels of regulation, from the constitution, laws, government regulations, to more operational technical policies. All of these regulations are interconnected and form a comprehensive legal system governing education. Therefore, the legal basis serves not only as a theoretical basis but also has practical implications for everyday educational life.

Furthermore, the legal basis for education provides clear direction, guidelines, and boundaries for the implementation of the education system, ensuring it runs systematically, planned, and structured. These guidelines cover various important aspects, such as the rights and obligations of students, the roles and responsibilities of educators and education personnel, national education standards, the curriculum, the evaluation system, and the management mechanisms of educational institutions. With these clear guidelines, all components of the education system can function optimally and align with established goals. This also helps create uniform standards in the implementation of education across regions, thereby ensuring the quality of education.(Ratnaningrum, 2022).

Furthermore, the legal basis for education also plays a crucial role in creating justice and equity in access to education. Through existing regulations, the government is obligated to ensure that every citizen has equal access to a decent, quality education. The legal basis serves as the basis for the government in formulating various strategic policies, such as compulsory education programs, educational assistance, and the development of educational facilities and infrastructure in underdeveloped regions. Therefore, the legal basis is not only regulatory but also encourages the creation of an inclusive and equitable education system.

Furthermore, in the context of increasingly dynamic developments, the legal basis for education is also required to be adaptive. This means that existing regulations must be able to adapt to social changes, technological developments, and the ever-evolving needs of the workplace. Therefore, updating and improving educational legislation is crucial to ensure the education system remains relevant and able to meet global challenges. With a strong, clear, and adaptive legal basis, it is hoped that education in Indonesia will be implemented

effectively and efficiently, producing high-quality and highly competitive human resources.

Education Regulations in Indonesia

Education regulations in Indonesia play a crucial role as the primary guideline for ensuring the fulfillment of every citizen's right to a proper education. Through various government regulations, the state strives to ensure that education is a fundamental right that must be enjoyed by all citizens without discrimination of any kind. This includes equal access for all, both in urban and rural areas, and for people from various social and economic backgrounds. These regulations serve as the basis for designing various strategic policies, such as compulsory education programs, operational assistance for education, scholarships, and the development of educational facilities and infrastructure. With clear regulations, the right to education is no longer merely theoretical but can be realized concretely in people's lives.(Kamalia & Lidya, 2024).

Furthermore, education regulations also serve as instruments that regulate national education standards and systems to ensure they operate effectively, efficiently, and effectively. The standards set forth in these regulations cover various important aspects of education, such as the curriculum, graduate competencies, teaching staff quality, learning processes, assessment systems, and the management of educational institutions. By establishing these standards, the government strives to create uniform educational quality across Indonesia, eliminating significant disparities between regions. This ensures that every educational institution has a clear benchmark for implementing a quality learning process that aligns with national education goals.(Rahmayuni, 2025).

Educational regulations also serve as a control and oversight tool for the implementation of the education system. With binding rules, all parties involved in education, including the government, educational institutions, educators, and students, are expected to carry out their roles in accordance with applicable provisions. Regulations provide a mechanism for evaluating and monitoring educational implementation, allowing for immediate corrections if any deviations or inconsistencies are detected. This is crucial for maintaining the quality and integrity of the national education system, ensuring it continues to operate in accordance with established guidelines.

Furthermore, educational regulations also serve as instruments for adaptation to changing times. In an era of globalization and rapid technological advancement, the

education system is required to adapt to various changes. Therefore, educational regulations must be dynamic and responsive to societal needs and the demands of the workplace. Curriculum changes, the application of technology in learning, and the strengthening of character education are just a few examples of adjustments governed by regulations. With adaptive regulations, Indonesia's education system can continue to evolve and remain relevant to current conditions.

Thus, it is understandable that educational regulations serve not only as binding rules but also as strategic instruments in directing, managing, and improving the quality of education in Indonesia. Regulations are a crucial foundation for creating a fair, equitable, and high-quality education system, capable of addressing the various challenges faced. Therefore, the existence of strong, consistent, and implementable educational regulations is essential for optimal achievement of national education goals.

Education Policy

Education policy is a series of strategic steps formulated and taken by the government as a systematic effort to improve the quality of education while adapting the education system to the ever-changing times. This policy is not only related to administrative or technical aspects, but also reflects the direction, vision, and priorities of national education development. Through education policy, the government seeks to respond to various emerging challenges, such as developments in science and technology, globalization, changing workplace needs, and social and cultural dynamics. Therefore, education policy is a crucial instrument in ensuring that the education system remains relevant, adaptive, and capable of producing high-quality and highly competitive human resources.(Abdullah, 2025).

In practice, education policy encompasses various interrelated aspects, from planning and implementation to evaluation of educational programs. The government formulates policies based on an analysis of real-world conditions, ensuring that the resulting policies effectively address community needs. These policies can include establishing national education standards, developing evaluation systems, improving the quality of teaching staff, and providing adequate educational facilities and infrastructure. With well-directed policies, the education process can be more effective and efficient, with clear objectives.

Furthermore, education policy is closely linked to curriculum development and innovation in the learning process. The curriculum, as the core of education, continues to

undergo changes and improvements to meet the demands of the times. Through education policy, the government can direct curriculum development that focuses not only on mastery of material but also on the development of 21st-century skills, such as critical thinking, creativity, communication, and collaboration. Furthermore, the policy encourages the integration of character values and the strengthening of moral education within the curriculum, so that students are not only intellectually intelligent but also possess good personalities.(Koswara & Putra, 2024).

Innovation in learning is also an integral part of education policy. The government encourages the use of more varied, interactive, and student-centered learning methods, making the learning process more engaging and meaningful. The use of digital technology, such as online learning, interactive learning media, and the development of educational platforms, are concrete examples of the implementation of education policy in the digital era. With these innovations, it is hoped that the learning process can reach more students and improve the quality of learning outcomes.

Education policy also serves as a guideline for all stakeholders in the education sector, including central and regional governments, educational institutions, educators, education personnel, and the general public. Policy provides clear direction on what must be achieved and how to achieve it, enabling all parties to fulfill their roles optimally and in a coordinated manner. Furthermore, education policy also provides for monitoring and evaluation mechanisms, allowing for continuous improvement and refinement as needed.

Furthermore, education policy plays a crucial role in creating equity and fairness in access to education. Through its policies, the government strives to reduce educational disparities between regions, social groups, and economic levels. Programs such as educational assistance, improving facilities in underdeveloped areas, and equitable distribution of teaching staff are concrete examples of policies aimed at creating an inclusive and equitable education system. Therefore, education policy is not only oriented towards improving quality but also towards equalizing learning opportunities for all citizens.

Ultimately, education policy must be dynamic and adaptive to changing times. Rapid technological developments, shifting lifestyles, and global challenges demand flexible and responsive policies. Therefore, education policy updates are necessary periodically to remain relevant and able to address various challenges. With appropriate, targeted, and sustainable

policies, it is hoped that Indonesia's education system will continue to develop and produce a superior generation with character, ready to face the future with full competence and responsibility.

Implementation and Challenges

In reality, the implementation of the legal framework for education still faces various complex and diverse challenges, such as unequal access to education and differences in the quality of teaching staff across regions. Although various laws and regulations have normatively affirmed that every citizen has the right to receive a decent, quality, and non-discriminatory education, in practice, significant disparities remain. These disparities are clearly visible between urban and rural areas, as well as developed and underdeveloped regions. Factors such as limited educational infrastructure, a lack of supporting facilities, and difficult geographic access are major obstacles to achieving equal access to education. This indicates that the implementation of the legal framework for education has not been fully optimal and equitable.(Kamalia, 2025).

In addition to access issues, the quality of teaching staff is also a significant challenge in implementing the legal framework for education. Teachers play a strategic role as key implementers in the learning process, and therefore the quality of education is highly dependent on their competence and professionalism. However, the reality on the ground shows that disparities persist in the quality and distribution of teaching staff. Some regions experience a surplus of teachers, while others face a shortage of educators, especially those with relevant competencies. Furthermore, opportunities for training and professional development are unequally distributed, impacting the quality of learning received by students. This situation is one of the factors contributing to the failure to achieve uniform educational quality standards throughout Indonesia.

Challenges in implementing the legal framework for education also relate to managerial and bureaucratic aspects. In some cases, the implementation of education policies still faces coordination challenges between the central and regional governments, resulting in a lack of synchronization in program implementation. Furthermore, relatively rapid policy changes are sometimes not accompanied by readiness from implementing parties on the ground, such as schools and educators. This can lead to confusion and ineffectiveness in policy implementation. Therefore, strengthening the education management system is

necessary to be more integrated and responsive to needs on the ground.

In light of these challenges, ongoing evaluation of education policies is crucial to ensure optimal achievement of national education goals. This evaluation serves not only to assess the success of a policy but also to identify obstacles, weaknesses, and opportunities for improvement. Through systematic and ongoing evaluation, the government can determine the extent to which the implementation of the legal framework for education has been in line with its intended objectives. The results of this evaluation can then serve as a basis for formulating new policies or refining existing ones.(Fajriani, 2024).

Furthermore, comprehensive evaluation of education policies requires the involvement of various stakeholders, including the government, educational institutions, educators, and the community. This multi-stakeholder involvement is crucial for obtaining a more objective and comprehensive picture of the actual conditions on the ground. Participatory evaluations can also foster a sense of shared responsibility in efforts to improve the education system. This ensures that the resulting policies are not merely top-down but also consider the aspirations and needs of various stakeholders.

Furthermore, policy evaluation must adapt to increasingly dynamic developments. Technological changes, workplace needs, and global challenges demand flexible and adaptive education policies. Therefore, evaluation should focus not only on achieving short-term targets but also on the long-term relevance of policies. With continuous evaluation, Indonesia's education system is expected to continue to develop, address shortcomings, and improve overall quality.

Thus, it can be concluded that the implementation of the legal framework for education depends not only on the existence of strong regulations but also on the effectiveness of their implementation in the field. Existing challenges need to be addressed through planned and sustained efforts, one of which is comprehensive policy evaluation. Through these steps, it is hoped that the Indonesian education system will operate more optimally, equitably, and be able to effectively achieve national education goals.

CONCLUSION

The legal basis for education is the primary foundation for the implementation of the education system in Indonesia. Various existing regulations, from the 1945 Constitution to

other technical regulations, serve as guidelines that provide direction, boundaries, and certainty in the implementation of education. With a strong legal basis, the educational process can proceed in a structured, systematic manner, and in accordance with national goals, namely to educate the nation and develop quality human resources. Furthermore, the legal basis also ensures that all educational policies and practices are legitimate and legally accountable.

On the other hand, the government has established various education policies to improve the quality of education and adapt the system to current developments. These policies include curriculum development, improving the quality of teaching staff, and utilizing technology in learning. However, various challenges remain in their implementation, such as unequal access to education and uneven distribution of education quality across regions. Therefore, synergistic collaboration between the government, educators, and the community is necessary to ensure that the formulated policies are implemented optimally and effectively achieve national education goals.

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