

Research Article:

Revisiting Islam–State Relationship: Critical Analysis of Indonesian Policy on Islamic Boarding Schools

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ABSTRACT

Pondok pesantren (Islamic boarding schools) are the oldest Islamic educational institutions that have experienced significant development in Indonesia. A total of 26,975 *pondok pesantren* are currently spread across all regions. However, the state's acknowledgment of these schools only came about in 2019, marked by the issuance of Law Number 18. Although enacted four or five years ago, this law has not been applied evenly in various regions. Therefore, this study aims to examine the law by focusing on its background, content and implications for the future of *pondok pesantren*. It also focuses on its political impact on the relationship between the state and Islam in Indonesia. The data presented were based on a systematic review of Law Number 18 of 2019, relevant regulations, policy documents and interviews with key policymakers. The data were analysed based on the theory of social movement. This study pointed out that first, enacting the law is not merely a form of state recognition of the *pondok pesantren*, as it has been stated in previous studies, but rather influenced by the factor of structural opportunity to realise the desire of the *pondok pesantren* to obtain financial support that have never been granted by the state. On the other hand, enacting the law was a political strategy to intervene in Islamic groups to support the ruling government. Second, the strong political interests at the local government level and the contestation among religious groups have caused the law has not been implemented evenly in various regions in Indonesia. This means that although the enactment of the Law juridically can be considered as a policy that strengthens the Islam–state relationship, but it is still problematic at the implementation level.

Keywords: Islamic Education, *pondok pesantren*, Islamic group, education policy

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INTRODUCTION

Islam-state relationship in various Muslim-majority countries tends to be more complicated. It can be observed in Malaysia (Jamil, 2022), Afghanistan (Rehman, 2014), Pakistan (Sodhar et al., 2013), Brunei Darussalam (Azra, 2013b), Turki (Agai, 2007) and Arab Saudi (Coulson, 2004), indicate that the state co-opted Islamic education on the one hand and the opposition of certain Islamic groups to the state on the other. In contrast to those countries, the Islam-state relationship in Indonesia, although still facing various problems, has progressed in an increasingly mutually beneficial path. This is reflected in the state's policy towards *pondok pesantren*, one of the largest Islamic educational institutions in Indonesia. *Pondok pesantren* are the oldest religious educational institutions with experienced significant development in Indonesia. From a historical perspective, these institutions were initially introduced around 1600 AD (Ismail, 2011; Mastuhu, 1994), long before Indonesian independence in 1945. This indicates that a total of 26,975 *pondok pesantren* are presently spread across all regions of the country (EMIS, 2023a). The development also aligns with the growth of the Muslim population, which has reached 229 million people or 87.2% of the total density of 263 million people (Badan Pusat Statistik Indonesia, 2022). Since their establishment, these schools have been known as traditional Islamic educational institutions emphasising the study of Islam and religious morals in daily life.

Various state policies regarding Islamic education are responsible for influencing the changes in the intellectual and institutional orientation of the institutions, such as Law Number 18 of 2019 concerning *pondok pesantren*. This law marks a new period for the *pondok pesantren*, where their management authority is held by Islamic scholars (*Kyai*) and regulated by the state. In this case, several aspects are presently subject to state administration, including licensing and operational requirements, curriculum, funding sources, and institutional levels. Based on this law, *pondok pesantren* are entitled to obtain financial support from the state while remaining under the control of religious groups. Although recognised as part of the national education system, these institutions are still predominantly controlled by religious groups (Saparudin & Salim, 2023). This explains that Nahdlatul Ulama (NU), as the largest Islamic group manages over 86% of the *pondok pesantren* in Indonesia (Rozin, 2022). From this context, the remaining *pondok pesantren* are operated by other religious groups, such as Muhammadiyah, al-Washliyah, Nahdaltul Wathan and Salafi movement (Saparudin, 2017). This condition affects the diversity of the Islamic education provided in the institutions, depending on the ideological affiliations to Islamic groups. Since the reform era in 1998, the development and characteristics of these educational institutions have also been influenced by the political dynamics in Indonesia.

The enactment of the *pondok pesantren* law cannot be separated from the political role of the National Awakening Party (PKB) and United Development Party (PPP), two Islamic parties initiating and supporting the draft regulation (Usman & Widyanto, 2021). These parties are part of the government coalition and are known as representatives of the

Muslims affiliated with NU, the largest group operating the *pondok pesantren* in Indonesia. In this case, observed speculation states that the law will only benefit NU as the largest Islamic group (Azzahra, 2019; 2020). According to this context, NU will significantly obtain more financial support from the state with the implementation of the law through the *pondok pesantren*, compared to other religious groups.

Furthermore, from the global perspective, the implementation of the law signifies a new indication, proving that the relationship between Islam and the state is mutual, with the state accommodating the needs of Muslims (Azra, 2014). This relationship shows that Indonesia has its distinction from other Muslim countries where the protection and co-optation of religious groups are observed, as exhibited in Saudi Arabia (Coulson, 2004; Sobhy, 2021), Brunei Darussalam (Mansurnoor, 2011) and Malaysia (Azra, 2013a; Jamil, 2022). Opposition is also observed from various religious groups towards the state, as evidenced in Afghanistan and Pakistan (Rehman, 2014; Sodhar et al., 2013), where tension is found between *ulama* (Islamic scholars) and the government. In addition, the state even feels suspicious of several *ulama* who have authority in Islamic educational institutions.

In the global perspective, such tendencies do not indicate that the relationship between Islam and the state is without any problems in Indonesia. Based on the *pondok pesantren* law, legal implementation has not been fully implemented by the government until the present, despite its enactment in 2019 with the formulation of some technical guidelines. Most local governments are also yet to grant the rights of *pondok pesantren*, as mandated by the law. For example, Article 48, paragraphs 1 to 5, stated that one of the funding sources for the *pondok pesantren* was the central and local governments, through the state and regional budgets, respectively. However, the provision has not been fully implemented by local governments. This condition raises several research questions, such as:

1. Why is this the case?
2. What is the political background for the enactment of the law?
3. What are the implementation problems?

Several existing studies specifically examining *pondok pesantren* law also concluded that its enactment was driven by the desire of Muslims to obtain state recognition. From this context, the provision of a legal foundation was necessary for the institutions, as part of the national education system (Erfandi, 2020; Nurtawab & Wahyudi, 2022; Setyawan, 2019; Sholeh, 2022; Usman & Widyanto, 2021; Wijaya et al., 2020; Wiranata, 2019). The implementation of the law at the local government level was also hindered due to the lack of technical guidelines.

In contrast to the aforementioned studies, this study pointed out that enacting the law is not merely a form of state recognition of the *pondok pesantren*, but a political strategy to intervene in certain Islamic groups to support the ruling government. On the other hand,

enacting the law provides structural opportunities for the Islamic groups to access state and regional revenue budget funds that have never been granted. Currently, these *pondok pesantren* regularly receive financial support from the state, although not evenly distributed at the local government level. This implementation hindrance is due to the political interests of regional leaders and the contestation among religious groups. Therefore, this study aims to examine the law by focusing on its background, content strengthening the position of *pondok pesantren*, implementation challenges, and political impact on the relationship between Islam and the state in Indonesia.

THEORETICAL PERSPECTIVE

In line with the research problem and purpose, the social movement theory formulated by Robinson (2004) and Wiktorowicz (2002) was selected for analytical processes. According to Robinson and Wiktorowicz, this theory generally emphasised the group as the unit of analysis in explaining collective action, using the following variables:

1. Analysing the patterns by which religious groups leveraged structural political opportunities for development.
2. Mobilising formal and non-formal resources for religious groups to recruit individual minds, socialise new followers and mobilise attention.
3. Cultural framing focused on analysing the tactics employed by religious groups to gain attention and support.

This theory was applied to analyse how Islamic groups that have *pondok pesantren* use the political structural opportunities that the state provides in accommodating the educational needs of Muslims.

There are three levels of analysis in the social movement theory (Kniss & Burns, 2004):

1. Ideological level of analysis, which addresses how religious ideas and values shape collective action.
2. Organisational level of analysis, that addressing how religious groups are mobilised by their leaders to get state-formal and non-formal resources to support the collective action.
3. macropolitical level of analysis, which explaining how religious movements are influenced by national and global politics and economics, including the relationship between religion and the state.

Social movement theory generally emphasises the group as the unit of analysis in explaining collective action. Individuals are recognised as playing a role in making decisions, but they

do not determine the movement of religious groups (Robinson, 2004). The theory was utilised by Wiktorowicz (2000) in examining the Salafi Islamic group in Jordan (Wahid, 2014) in analysing the Salafi Islamic movement in Indonesia; and Robinson (2004) in investigating Hamas movement in Afghanistan.

METHODS

This research utilised a mixed method, which was library research as the main method and field research as an additional method. The library research was sourced from several state policies regarding *pondok pesantren*, emphasising Law Number 18 of 2019. The data presented prioritised a systematic review of the law, relevant regulations, and policy documents. The research was strengthened by field data collected from limited interviews with key policymakers and *pondok pesantren* leaders. The two informant groups were determined using purposive sampling technique with the consideration that they have adequate and accurate data. Policymakers are members of the House of People Representatives (*Dewan Perwakilan Rakyat*) who are responsible for education affairs, and *pondok pesantren* leaders are those who own the largest *pondok pesantren* in eastern Indonesia.

RESULTS

Brief History of *Pondok Pesantren*

Pondok pesantren were the oldest educational institutions in Indonesia, emphasising the study of religious knowledge. As educational institutions, these schools were synonymous with Muslim teachings and the indigenous Indonesian culture, due to their existence since the era of Hindu-Buddhist rule (Madjid, 1997). The knowledge of *pondok pesantren* also started in the Nusantara and Java regions during the 13th–17th and 15th–16th centuries (Mastuhu, 1994). However, the schools experienced a rapid development with the establishment of NU on 31 January 1926. The NU was the pioneer and main driver in the provision of traditional *pondok pesantren* in Indonesia. This showed that 86% of the institutions were presently affiliated with NU (Azzahra, 2019; 2020).

Under the control of individuals and religious groups, the number of *pondok pesantren* was continuously increasing. This indicated that a total of 26,975 schools were observed with 4,090,766 students in 2023 (EMIS, 2023b). These developments were supported by the state policies identifying the madrasahs managed by *pondok pesantren*. Regarding the issuance of Joint Decree by Ministers of Religious, Education and Home Affairs in 1975, many of these institutions opened private formal schools, such as MI/SD (elementary schools), MTs/SMP (junior high schools) and MA/SMA (senior high schools) (Muwafiqoh & Ulum, 2023). This prioritised the existence of 86,608 registered madrasahs

under the Ministry of Religious Affairs, with 9% and 91% being state-owned and private, respectively (EMIS, 2023a). In this case, most private madrasahs were integrated with *pondok pesantren* and controlled by religious groups.

Pondok pesantren were continuously evolving in Indonesia despite being traditional religious education due to their adaptability to changing contexts. From this description, the recent development of the institutions is divided into three main forms (Isbah, 2020):

1. *Pondok Pesantren Khalaf*, where the formal institution was provided as madrasahs and general schools.
2. *Pondok Pesantren Salaf*, which emphasised the study of Islam through yellow books.
3. Modern *Pondok Pesantren* prioritising proficiency in English and Arabic, as well as considering the languages an integral part of students daily communication.

Based on these three categories, the *Khalaf* institutions were the dominant form. Despite changes in several aspects, *pondok pesantren* culture remained strong by mainly emphasising the development of Muslim studies with *Kyai* as its charismatic figure (Zainal Abidin et al., 2022). According to Isbah (2020), the schools continuously thrived because of their adaptability to external changes, including curriculum, education systems, and national educational political policy. In this case, the educational institutions had presently entered a new phase, where full integration into the national education system was prioritised. The government also established a specific law regulating the rights and obligations of the *pondok pesantren*, as part of the national education system in Indonesia.

Political Background of *Pondok Pesantren* Law

Based on existing studies, the background of the law establishment was not the desire of Muslims for the recognition of *pondok pesantren* by the state as analysed by Erfandi (2020), Nurtawab and Wahyudi (2022), Sholeh (2022), Usman and Widyanto (2021), and Wijaya et al. (2020). However, it was more determined by the desire of Islamic groups that owned *pondok pesantren* to obtain state funding from the central and local governments. This proved that the schools had been recognised as the national education system controlled by the Ministry of Religious Affairs, since the beginning of independence, specifically in 1975 (Isbah, 2020). By using a Joint Decree in 1975 through the Ministers of Religious, Education and Home Affairs, *pondok pesantren* were then integrated into the national education system (Muwafiqoh & Ulum, 2023). Since the reform era in 1998, the position of these institutions was subsequently strengthened with the establishment Indonesian national education system in 2003 (Hefner, 2009), where integration into the national education system was emphasised.

As explained in the background section, *pondok pesantren* were yet to achieve adequate financial support for education despite obtaining state recognition. This condition was due to their position as informal education, with the state not being obliged to finance their needs. In 2007, the government also issued Policy Number 55 of 2007 on Religious Education, to enable the consideration of the schools as formal educational institutions. This emphasised the achievement of financial support from the government, with their alumni certificates similarly recognised as those from *madrasabs* and schools (Isbah, 2020). However, in fact, the funding support obtained by *pondok pesantren*, specifically from local governments, was not significant. The strong political interests and diverse religious affiliations at the local government level, and the contestation of religious groups have caused the law has not been implemented evenly in various regions.

Based on these conditions, NU, as the largest owner of the *pondok pesantren* in Indonesia (*Suara Investor.com*, 2016), urged the government to issue a special regulation. By using the PPP and PKB political parties, NU also advocated for this desire in the People Consultative Assembly (Usman & Widyanto, 2021). This prioritised the agreement that the schools required a special law, through the debates between supporters and opponents of the draft regulation proposed by these two parties. On 24 September 2019, the Indonesian Parliament then passed Law Number 18/2019, where the central and all local governments were obliged to allocate funds for Islamic boarding schools (Sholeh, 2022). Therefore, the schools were equated with other institutions and *madrasabs*, regarding financing, human resources, facilities and infrastructure, as well as better governance (Maskuri & Minhaji, 2019).

Another factor behind the enactment of the law was the political aspect, where the approval of the government concerning the policy was a constitutional convention focusing on the significant support of NU for Jokowi's victory in the 2019 presidential election. A year earlier, toward the end of the first term, Jokowi declared 22 October as National Santri Day, which had presently become a major day for NU members (Presidential Decree Number 22 of 2015). Based on historical tracking, the group (NU) significantly contributed to the independence of Indonesia undoubtedly (Ismail, 2011). However, until presently, NU felt unfairly treated because the 26,975 *pondok pesantren* under its management had not obtained adequate financial support from the state, compared to non-Islamic institutions (Nilan, 2009). From this context, the enactment of the law emphasised the long struggle of the group in acquiring the attention of the state amid the global ideological contestation of religious groups.

State financial support was also needed due to the increasing emergence of new *pondok pesantren* affiliated with transnational Muslim groups, such as *Salafi* and *Tarbiyah Ikhwan al-Muslim*, which continuously obtained financial support from donors in the Middle East (Jahroni, 2020; Sebastian et al., 2020). From this context, *Salafi* and *Ikhwan* schools had rapidly developed in various regions since the reform era in 1998 (Saparudin, 2020). These two groups were often against the *Ahlus sunnah wal-jama'ah* ideology practiced by

NU as the mainstream Islam in Indonesia (Institute for Policy Analysis of Conflict, 2016; Saparudin, 2017). In this case, state assistance to *pondok pesantren* can help NU amid the contestation process. Meanwhile during this period, the tradition of endowment (*wakaf*) for Islamic educational institutions, previously emphasising the strength of NU in its early days, was presently fading. This was due to the increasing mobility of the Muslim community regarding demographics, education levels and economic factors, as well as the diversification of orientations from religious-political and industrial orientations.

Based on these conditions, the enactment of the law was arguably influenced by the desire of the *pondok pesantren* to obtain the financial support yet to be provided by the state. From this context, the enactment was not driven by their desire to gain national recognition. Law enforcement was also a political strategy by the government to intervene in specific Islamic groups, toward supporting the ruling administration.

Re-Position of *Pondok Pesantren*

The enactment of Law Number 18/2019 was responsible for marking a new phase in the development of the *pondok pesantren* in Indonesia. The law transformed the position of *pondok pesantren* from traditional Islamic Education that was fully managed by the *Kyai* into the national educational system managed by the state. The positional changes appear in the following areas:

Establishment of pondok pesantren

Before the *pesantren* law was enacted, people or Islamic groups had the freedom to establish *pondok pesantren*. However, now days, the state was presently regulating the establishment of the *pondok pesantren*. This indicated that any individual or religious group wishing to establish relevant educational institutions should register with the Ministry of Religious Affairs, to obtain permission. According to Article 6, paragraphs 1 and 3 of the law, *pondok pesantren* can be established by individuals, foundations, Muslim organisations, or the community. This proved that the proposed establishment of the institutions should meet five minimum requirements:

1. The presence of a *Kyai* (Islamic figure, the owner).
2. Resident students (*santri*).
3. A dormitory.
4. A mosque or *musalla* (prayer hall).
5. The study of *Kitab Kuning* (yellow books, the classical Islamic books) or *dirasah Islamiyah* (Islamic studies) with a *muallimin* (systematic levels) education pattern.

In this case, the educational institutions that do not meet the requirements cannot be categorised as Islamic boarding schools.

These requirements were not regulated before the enactment of the *pondok pesantren* law, with individuals or groups free to establish *pondok pesantren* without obtaining permission from the government. In this case, some Islamic groups opposed the requirements because many existing schools did not meet one of the five criteria. For example, *tahfiz* and *diniyah* schools did not teach *Kitab Kuning* and have resident students, respectively. Meanwhile, *diniyah* schools had evening and night-time study sessions, with many Muhammadiyah affiliates not having *Kyai* (Rizqo, 2019). According to the law, such educational institutions were not recognised as *pondok pesantren*, leading to the non-eligibility to obtain financial assistance from the government.

Funding provisions

In the financial resources, there was a change in the position of *pondok pesantren*. The funding for *pondok pesantren* was primarily observed from parents and the community until presently, as well as managed independently without government intervention. This showed that the development of educational institutions was very slow (Usman & Widyanto, 2021). However, after the enactment of the Law, the funding for *pondok pesantren* was sourced from parents and the community, as well as the central and local governments. Article 48 of the law also stated that “the central and local governments supported the funding of *pondok pesantren* through the state and regional budgets, respectively”. These sources of funding (state/regional budgets) were new because, until presently, the schools did not have access to state finance (Nurtawab & Wahyudi, 2022; Sholeh, 2022).

State-sourced financing policies also required the *pondok pesantren* to have good financial management. This posed a new challenge because financial management was not bound by specific regulations, where *Kyai* was the decision-maker, with no binding requirements observed for the provision of funding reports (Azzahra, 2019, 2020; Mustofa, 2020). Based on the law enactment, the *pondok pesantren* obtaining funding from the state should have good financial management practices, including program planning, as well as capital utilisation and reporting through the Ministry of Religious Affairs. Similarly, the demands for effective and efficient use and allocation of funds were observed.

Two years after the establishment of the law, the president issued Presidential Regulation Number 82 of 2021, concerning the funding of the *pondok pesantren*. This regulation derivatively emphasised the enactment of the law, governing the endowment fund of the institutions. In this case, the fund was specifically and eternally allocated to ensure the continuity of the *pondok pesantren* development, which originated from and was part of the educational endowment budget. Moreover, the fund was used to guarantee the continuity of the institutional education programs for future generations (Presidential Regulation Number 82, 2021). This policy was expected to provide better welfare for teachers and

improve the facilities in the *pondok pesantren*. It was also a fundamental requirement for the development of relevant educational institutions (Nurtawab & Wahyudi, 2022; Setyawan, 2019; Sholeh, 2022; Usman & Widyanto, 2021).

Pondok pesantren were presently required to improve their financial management systems, to ensure the effective use of funds obtained from the government. This presented a new challenge for educational institutions due to lacking adequate systems and human resources for financial administrative tasks. As recipients and users of the state budget, *pondok pesantren* were simultaneously obligated to transparently and accountably manage finances with periodic reporting. From this context, financial management was no longer solely and personally held by *Kyai*, emphasising its integration into an educational system with openly accessible information. By possessing sound financial management, *pondok pesantren* were expected to fully implement their curriculum to achieve national educational goals.

Curriculum provisions for the pondok pesantren

Based on the enactment of Law Number 18 of 2019, as part of the Indonesian education system, *pondok pesantren* are not authorised to independently formulate their curriculum. According to the law, the curriculum of the *pondok pesantren* was determined by the state although the institutions were authorised to determine learning resources. This proved that the curriculum was a learning activity plan for students according to the intended goals (Saifuddin, 2015). The law also stated that *pondok pesantren* should develop a distinctive curriculum based on the *Kitab Kuning* (yellow books, the classical Islamic reference) emphasising Arabic publications or other documents used as sources or references in the Muslim scholarly tradition (Nurtawab & Wahyudi, 2022). According to Dahlan (2018), the *Kitab Kuning* were religious publications written in Arabic, Malay, Javanese, or other local languages in Indonesia. These books were written by Middle Eastern and Indonesian scholars using Arabic script. Regarding the definition, the existing terminology of the *Kitab Kuning* was expanded, prioritising Arabic religious publications.

Standardising the curriculum of the *pondok pesantren* was also a challenging task, with the implemented scheme considered to be highly diverse. Since the schools generally emphasised the study of yellow books as their core curriculum (Dahlan, 2018; Nurtawab & Wahyudi, 2022), from the 1990s, a significant development was observed in knowledge improvement. Besides *Kitab Kuning*, some of the *pondok pesantren* also prioritised Quran memorisation, the Arabic language, agriculture and the development of other skills. In this context, many Islamic groups criticised the curriculum standards determined by Law Number 18 of 2019, which did not accommodate diversity. This was due to the expectation of a quality assurance formulation, respecting the diversity and differences among the *pondok pesantren* in Indonesia (Azzahra, 2019; 2020).

Based on these descriptions, several implications were observed for the recognition of the *pondok pesantren* graduates, which were capable of continuing their studies to higher

levels in both religious and non-religious education. Similarly, the certificates issued by the schools were accepted by the business and industrial sectors, as evidenced in the credentials of other institutions (Law Number 18 of 2019). Before the existence of this law, the certificates from *pondok pesantren* alumni that did not attend formal institutions (*madrasahs* and regular schools) were not recognised by the state (Muwafiqoh & Ulum, 2023). This indicated that the credentials were unable to be used to continue their studies or apply for jobs in the formal sector. Based on the law, the *pondok pesantren* had juridical power as educational institutions, with their certificates equivalent to those of regular learning centres and *madrasahs*. In this context, the law was crucial for the Muslim community despite the observation of implementation problems.

Pesantren’s Respond and Implementation Problems of the Pondok Pesantren Law

The *pondok pesantren* law had been enacted and implemented since 2019, although it was not effectively and evenly carried out. This indicated that most regions had not provided funding for institutional education regardless of the issuance of several regulations related to the implementation of the law. From this context, the implementation challenges were due to the political factors and contestation among religious groups in Indonesia, not unfinished technical regulations, as observed in various studies (Erfandi, 2020; Wiranata, 2019).

Based on these descriptions, the political aspect was the first factor hindering the implementation of the *pondok pesantren* law. This was because the implementation greatly depended on the political affiliation of governors as regional heads. The proponents of the law were also PKB and PPP, which were ideologically affiliated with NU, the largest Islamic group managing 86% of the Muslim-based institutions in Indonesia. However, only a small number of governors originated from the two parties. According to CIPS, the connection between Jokowi’s victory as the President in the 2019 General Election and the enactment of this law was emphasised. This was because the majority of Javanese Muslims supported Jokowi and were affiliated with NU as the largest mass organisation with significant political influence in the country. Although NU figures did not presently hold direct political influence, important roles were still played by them as local intermediaries of power in Java (Erfandi, 2020). This showed that not all provincial governors realistically originated from these parties or had an affiliation with NU, leading to the existence of a political challenge in implementing the law in various regions within Indonesia.

The second factor was the issue of curriculum uniformity, where all *pondok pesantren* were required to implement a scheme based on *Kitab Kuning* and *dirasah Islamiyah*. Although the law allowed the schools to develop their curricula according to personal ideas and orientations, the requirement of using yellow books, as a recognition criterion, posed a problem. In this context, not all existing the *pondok pesantren* used *Kitab Kuning* as their curriculum, such as those focusing on Quran memorisation, Arabic language and other specific areas. The *madrasah* curriculum adopted from the general school scheme was also

very dense and demanding, enabling it an additional burden, specifically when combined with the local content requiring a good understanding (Harmonedi & Zalnur, 2020; Saparudin & Salim, 2023). In addition, the law explained that the implementation of the *Kitab Kuning* or *dirasah Islamiyah* curriculum was carried out using various teaching methods, such as *sorogan* (the *Kyai* surrounded by students), *bandongan* (the *Kyai* is surrounded by hundreds of students), classical and others (Wiranata, 2019).

The third factor was the issue of contestation among religious groups, with many people arguing that the *pondok pesantren* law only benefitted specific spiritual factions. Since NU was the largest Islamic group managing 86% of the *pondok pesantren* in Indonesia, the financing from the state and regional budgets was considered a favour to them. Meanwhile, many leaders and owners of the *pondok pesantren* outside of NU disagreed with specific points in the law, such as the curriculum standards that did not accommodate the diversity of the *pondok pesantren* and the requirement for the presence of *Kyai*. This indicated that the law was broadly perceived to only benefit Islamic groups, leading to a barrier due to the status of Indonesia as a multi-religious country where six religions were officially recognised (Usman & Widyanto, 2021).

Based on the identification of the main problems, the implementation of the Islamic boarding school law in various regions was hindered by political factors and contestation among the religious groups in the country. The enactment of the law was also considered a form of political strategy to intervene in specific Islamic groups, toward supporting the ruling government. This suspicion was reinforced by the disagreement of Muhammadiyah, the second-largest Islamic organisation after NU, and several other Muslim organisations with the law enactment. In this case, the policy was found to only benefit NU as the largest manager of the *pondok pesantren* in Indonesia.

DISCUSSION

The Pondok Pesantren Law and Strengthening Islam-State Relationship

Based on a global perspective, the policies of Indonesia toward Islamic education were an indicator of the progress or regression of the relationship between Muslim-based practices and the state throughout the history of Islam. Since independence in 1945, this relationship had shifted from a domestication to an accommodation approach. This indicated that the domestication policy impacted the slow modernization of the *pondok pesantren* and weakened their position within the national education system. Meanwhile, the accommodation policy, with the emergence of a new generation of Islamic intellectuals and activists, opened up a harmonious relationship between Islam and the state (Kosim et al., 2023). This relationship became stronger in line with political changes since the reform era in 1998.

In Indonesia, the political atmosphere was responsible for influencing the policies of the state toward Islamic education, which became more positive since the reform era in 1998 (Tolchah, 2014). From this context, the enactment of the *pondok pesantren* law was one of the most important policies. This law represented a new direction in the improvement of Islamic Education due to enhancing its quality and strengthening the relationship between Islam and the state. In this case, the long-term marginalised *pondok pesantren* presently obtained funding from the state (Nurtawab & Wahyudi, 2022; Sholeh, 2022).

Based on the enactment, the law reflected the accommodation approach of the state toward *Kyai*, as representatives of Muslims in Indonesia. According to Azharghany (2022), *Kyai* still played an important role as an influential figure amid the political development of modern life. This explained that the politics played by *Kyai* emphasised the concepts of *maslahah* (benefit), *mabadi' khoiru ummah* (a path shaping the best people), and *syuun ijtimayyah* (social concern). These concepts were believed to build national consciousness and citizenship among Muslims. Regarding the *pondok pesantren*, moderate Islam was also promoted by emphasising nationalism and interfaith tolerance (Pribadi, 2022). Meanwhile, the government had the instrument to continuously intervene in Muslim-based practices through the *pondok pesantren*.

Many people were also concerned that state intervention was capable of eliminating the characteristics of the *pondok pesantren* as traditional education through the law, with *Kyai* fully authorised. This proved that *Kyai* had sole authority in managing *pondok pesantren*, where their knowledge and abilities significantly influenced the development of the educational institutions. It was also not bound by government control and had the freedom to determine the orientation and curriculum of *pondok pesantren* (Yusuf & Taaufiq, 2020). However, the authority of *Kyai* was gradually replaced by the state since the implementation of the law. The management of the *pondok pesantren* previously entirely determined by *Kyai* was also presently influenced by government bureaucracy. This suggested that *Kyai* should be willing to share its authority with the government due to obtaining financial support for the development of the *pondok pesantren*. In this case, the Ministry of Religious Affairs provided a solution by establishing an Independent Body known as the *Majlis Masyaikh* and *Dewan Masyaikh* at the national and Islamic boarding school levels, respectively (Pesantren Law Article 27). This *Majlis* was authorised to develop curriculum frameworks, formulate quality and graduate criteria, determine the standards of teacher competence, conduct assessments and evaluations according to valuable assurance systems, as well as validate the certificates of graduates. However, the establishment of the *Dewan Masyaikh* was mandatory for all Islamic boarding schools, with the requirement to report all their data to the Central *Majlis Masyaikh*. This showed that the existence of the *Majlis* and *Dewan Masyaikh* pragmatically served as an internal quality control institution for the schools (Usman & Widyanto, 2021) and a mediator in the communication between *Kyai* and the government.

Based on the law enactment, *pondok pesantren* obtained financial support from the government and shared authority with them (Azzahra, 2020). This showed that the acceptance of financial assistance from the government required compliance with the new regulations. In this case, a transformation of *Kyai's* role was ensured, shifting from the traditional position as the sole authority to a symbol of the *pondok pesantren*. This proved that the financial aspect of Islamic boarding schools became stronger with the decreased role of *Kyai*. Therefore, the integration of *pondok pesantren* into the national education system signified a new relationship between Islam and the state. This indicated that *Kyai* representing Muslims through the *pondok pesantren* was presently closer to the government (Yusuf & Taaufig, 2020). From this context, the willingness of *Kyai* to accept the law prioritised the establishment of the new relationship. The emergence of the law was also observed by Muslims as a new opportunity for *Kyai* to obtain government support. This condition is referred to in the social movement theory as a way of obtaining formal resources in improving the quality of the *pondok pesantren* and enhancing the welfare of teachers.

***Pondok Pesantren* Law: A Structural Opportunity for Religious Groups**

The relationship between Islam and the state in Indonesia has been growing in openness and progressiveness, along with the flourishing of Islamic groups. According to (Bruinnesse, 2013; Hefner, 2009; Ikhwan, 2018; Meuleman, 2011) the process of democratisation in Indonesia contributed to intensifying the contestation for religious authority between Islamic groups and the state, and among the Islamic groups itself. It showed that the groups previously restricted by the ruling government were presently using structural opportunities, by considering educational institutions a platform for mobilising resources and developing respective factions (Robinson, 2004; Wiktorowicz, 2002). In this case, democracy provided an opportunity for Muslims to renegotiate with the state and gain greater access to their facilities.

The enactment of the *pondok pesantren* law also presented an opportunity for religious groups to strengthen their existence through educational institutions. This showed that the groups, such as NU, Muhammadiyah and those operating the *pondok pesantren*, were presently obtaining financial assistance from the state. Moreover, access to financial resources from the Middle East, as practiced by *Salafi* groups through Saudi Arabia charities, was becoming more open and widespread (Jahroni, 2020; Liow, 2011; Saparudin, 2017). In this case, the law indicated that the government was increasingly aware of the heavy influence of Islamic civil society roles on post-colonial development in Indonesia (Widiyanto, 2019). From this context, the *pondok pesantren* served as a communication platform between religious groups and the state.

Table 1. *Pondok pesantren* affiliation to Islamic groups (Rozin, 2022)

No	Islamic groups	Number of <i>pondok pesantren</i>
1	Nahdlatul Ulama	26,107
2	Muhammadiyah	515
3	Al-Washliyah	21
4	Al-Khairat	47
6	Darul Dakwa wal Irsyad	65
7	Islamic Ummah Union	72
8	Tarbiyah Islamiyah Association	157
9	Indonesian Islamic Da'wah Institute	167
10	Mathlaul Anwar	32
11	Nahdlatul Wathan	291
12	Nahdlatul Wathan Darul Islam	110
13	Islamic Union	111
14	Islamic Education Reform Association	10
15	Not Affiliated	4,455
	Total	32,160

Based on Table 1, NU was the group with the highest number of the *pondok pesantren* at 26,107, accompanied by Muhammadiyah (515 institutions) and several religious groups. This indicated that the dominance of the *pondok pesantren* was directly proportional to the high number of NU followers, as the largest group in Indonesia. According to the Indonesian Survey Circle (*Lingkar Survey Indonesia*) Denny JA in 2019, NU was the largest Islamic group in the country, emphasising 49.5% (119.6 million people) of the total Muslims at 241.7 million people (Rizaty, 2022). This was accompanied by Muhammadiyah, the 212 alumni association, the Islamic Defenders Front (FPI), and other Islamic groups at 4.3%, 0.7%, 0.4% and 1.3%, respectively (*Suara Investor.com*, 2016). In this case, NU was prompted to advocate for the enactment of the *Pesantren* Law.

NU portrayed that the state was unfair in allocating the state budget for education. This was because the funds and facilities provided by the state for Islamic education were highly inadequate compared to non-religious education (Siraj, 2019). Amid the contestation with transnational religious groups, NU increasingly experienced difficulties in meeting the financial needs of the *pondok pesantren*, specifically in teachers' salaries and educational facilities. Therefore, NU strived for the *pondok pesantren* to have their policies and consequently access financial support from the state through PKB and PPP parties, supported by the Indonesian Struggle Democratic Party (PDIP), a nationalist party (Azzahra, 2020). This condition was experienced by the *pondok pesantren* in Malaysia, where teachers requested integration into the national education system, to obtain state funding for the progress of the educational institutions (Latief et al., 2021). The impact of

NU was also felt by other relevant religious groups (Table 2) regardless of its advocacy for the law enactment.

By implementing the *pondok pesantren* law, the use of structural opportunities by religious groups indicated a mutual relationship between Islam and Indonesia, with the state accommodating the needs of Muslims (Azra, 2014; Azra et al., 2010). This proved that Islamic education was ideologically not a social element fully protected by the state, as evidenced in Saudi Arabia (Coulson, 2004), Brunei Darussalam (Mansurnoor, 2011), and Malaysia (Azra, 2013a; Jamil, 2022). Although the educational sector was part of the national education system in Indonesia, the majority of Islamic boarding schools were still operationally controlled by religious groups. This confirmed that approximately 91% of Islamic education was privately managed by the groups, with 9% emphasising the state schools directly handled by the Ministry of Religious Affairs (EMIS, 2023a). In this case, the improving democracy in Indonesia provided structural opportunities for the Islamic groups to mobilise their resources and access the state facilities toward developing education according to respective ideological affiliations.

CONCLUSION

The Islam-state relationship in Indonesia is increasingly mutually beneficial. Recently, the government passed a policy Law Number 18 of 2019 on the integration of *pondok pesantren*, the largest Islamic Education, into the national education system. However, the strong political interests and diverse religious affiliations at the local government level, and the contestation among religious groups have caused the law has not been implemented evenly in various regions in Indonesia. This means that although the enactment of the law juridically can be considered as a policy that strengthens the Islam-state relationship, but it is still problematic at the implementation level. This mean that mobilising the state-formal resources are still in negotiation between the religious groups and state.

The enactment of the law was a determining factor for a new direction in developing of the *pondok pesantren* in Indonesia. The law transformed the position of *pondok pesantren* from traditional Islamic Education that was fully managed by the *Kyai* into the national educational system managed by the state. By enacting the law, the requirements for the establishment, curriculum determination and funding of the *pondok pesantren* were regulated by the state. An important aspect also suggested that the central and local governments should allocate funding for the *pondok pesantren* through state and regional budgets, respectively. Therefore, this study pointed out that enacting the law is not merely a form of state recognition of the *pondok pesantren*, but rather influenced by – what social movement theory refers to as a factor of a structural opportunity to realise the desire of the *pondok pesantren* to obtain financial support that has never been granted by the state. This is part of tactics employed by religious groups to gain attention and support from the state.

In the future, it will experience a change in the direction of development of the *pondok pesantren*, from traditional Islamic Educational institutions that focus on Islamic studies to modern education that develop various disciplines based on the needs of the state. This would be an interesting issue for future research.

Based on the findings, several limitations were observed, such as the study have not counted of the funding amount and financial management obtained by *pondok pesantren* from the state and regional budgets since the enactment of Law Number 18 of 2019. This was because not all regions in the country had implemented the law. The official financial data from the central and local governments were also unavailable in the Ministry of Religious Affairs, and the impact of the law on changes in the scholarly structure of the *pondok pesantren* not being analysed. These two aspects were very important considerations for future studies.

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