

## Partisipasi politik dan pluralisme dalam proses pembuatan Undang-undang no.23 tahun 2003 tentang sistem pendidikan nasional

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### Abstrak

Proses pembuatan dan pembahasan RUU Sisdiknas telah menimbulkan perdebatan publik yang diliputi ketegangan politik. Masyarakat terpecah ke dalam kelompok yang mendukung dan menolak RUU ini. Pembahasan perundangan yang berkaitan dengan isu penting seperti pendidikan, yang menyangkut kepentingan publik secara luas, menarik untuk dicermati Terlebih ketika muatan-muatan RUU yang diperdebatkan seperti pasal 13 yang mengatur tentang pengajaran agama menjadi fokus perdebatan yang nyaris menenggelamkan esensi utama persoalan sistem pendidikan nasional, Pro-kontra terhadap substansi RUU Sisdiknas, yang menyentuh wilayah agama dan kepentingan mayoritas-minoritas masyarakat plural Indonesia, telah menampilkan tanggapan yang keras dari masing-masing pihak demi mempertahankan sikapnya. Menarik untuk meneliti bagaimana kepentingan masyarakat majemuk diolah kedalam kebijakan publik dalam bentuk perundangan, dengan memberi ruang dan pengakuan alas multikulturalisme, dimana kepentingan kelompok minoritas tercakup didalamnya. Dalam konteks demokrasi masa kini, pertimbangan terhadap multikulturalisme nampaknya semakin menemukan landasan, ketika struktur kemasyarakatan semakin kompleks, dan tuntutan bagi persamaan diantara warga negara semakin mengemuka.

Penulisan ini menggunakan teori tentang demokrasi yang menekankan persamaan hak, dan partisipasi yang setara bagi semua dalam pengambilan keputusan. Tinjauan terhadap masyarakat multikultural Indonesia dalam penelitian ini-berkaitan dengan proses legislasi yang dilakukan oleh DPR-dimaksudkan untuk menemukan apakah aspek kemajemukan (pluralisme) bangsa Indonesia, dapat diterjemahkan ke dalam perundangan yang mewakili semua kelompok di dalam masyarakat\_ Undang-Undang No.20 Tahun 2003 tentang Sistem Pendidikan Nasional yang dilahirkan melalui Usulan Inisiatif DPR telah menimbulkan perpecahan sikap di antara kelompok-kelompok dalam masyarakat, karena proses pembahasannya mengabaikan partisipasi publik. Penelitian menggunakan metode kualitatif dan pengumpulan data maupun informasi melalui wawancara, observasi serta penggunaan data primer dari dokumen dan catatan DPR. Proses politik yang berlangsung dalam pembuatan dan pengesahan UU Sisdiknas, seperti yang ditunjukkan melalui penelitian ini lebih dipengaruhi oleh agenda jangka pendek partai-partai politik, daripada kepentingan jangka panjang bangsa Indonesia dalam upaya penguatan demokrasi, melalui pembuatan kebijakan publik yang mendukung upaya tersebut.

Upon the making and deliberation of the Education Bill of 2003, some contents regarding religion as compulsory in the proposed Bill has aroused public debate and political tension, especially among members in the societies whose interests are intended represented in the Bill. Education Bill as significant to every member in the pluralistic Indonesian society has stirred up the unending debate on religious teaching as part of national curriculum, and the role of state to supervise the implementation of the subject. The intention as stated in the Bill, to make every school including private schools (which in the case of Indonesia where Moslems are majority, Christian base schools are nonetheless still favored observe the provision of

religious teachers for students of the same religion. During the long years of practice, private religious-base schools are not conditioned by any state regulation to do so. Much to the fact that the Indonesian societies are pluralistic, then the contents carried by article 13 in the proposed Bill, perceived by non-Moslems as a way to impose restriction on them. The reason to study legislation and its process, amidst the efforts to enhance democracy in Indonesia is deemed important. Question over political participation throughout law making process in the parliament is raised, when minority rights as recognized by democracy is felt neglected by some. However, it is far from easy just to accommodate and to try to please every single citizen in the realm of multiple challenges encountered by pluralistic Indonesia. Multiculturalism as politics of recognition is as new, contrary to the fact that for many years, the nature of pluralism is seen more as recognition for being different, rather than a pre condition to develop genuine and common ground for national goals and integration.

Theories on key elements in democracy such as: equal participation and equal rights in the making of public policy are used in this writing, to check if law making process are in line with people's demands to have their ideas and interests taken into account. This writing is based on qualitative method of research. While results of primary research found in previous findings, writings and parliamentary documents are used to approach the issues. Legislation, in conjunction with multiculturalism and larger room for `political participation is one critical factor in democracy building. The outcome shows, that law making process in the case of Education Bill, is not delivered in a better facilitated environment, where political acknowledgment upon the nature of multicultural Indonesia is too important to be overlooked.</i>