

## Measuring Merdeka Belajar Correlativity with the National Education System Act No. 20 of 2003 and Pancasila

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### *Abstract*

Merdeka Belajar in the perspective of the Law No. 20 of 2003 on the National Education System, has an important role in the development of the character of the pupils. As the concept of independent university learning with a concept of hybrid education for the first three semesters in the major is in demand as part of character formation in the field. Like working on a village project, social welfare, entrepreneurship, internships in companies and so on. The national educational system within the boundaries of character education is expected to produce qualified people, in building the cultural character of the nation, the educational environment should lead to the creation of a conducive environment in accordance with the Pancasila State and UUD 1945. This research is a study with a normative jurisprudential approach. The results of this study show that character is a good objectivity over human qualities.

**Keywords:** Merdeka Belajar, Character Education, Law of the State, UUD 1945

### A. Introduction

The curriculum Merdeka Belajar can be called an evaluation form of the Curriculum 2013, this is as stated from the Kemdikbud page<sup>1</sup>, This curriculum is an option for all educational units that are in the process of setting up an educational unit that has the readiness to implement the curricula.

The development of a good curriculum is based on a number of foundations, namely philosophical, sociological, psychological, conceptual-theoretical, historical, and juridical foundations. The chosen philosophical path is expected to provide a basis for the development of the full potential of the students to become superior Indonesian human beings as listed in the national educational objectives. The Pancasila is a national ideology that serves as one of the pillars of the Indonesian national state. In the context of education, Pancasila and the 1945 Basic Act have been accepted as the foundation of national education.

The Merdeka Study-Campus Programme of the Ministry of Education and Culture is regulated in the Regulations of the Minister of Education of the Republic of Indonesia No. 3 Year 2020 on National Standards for Higher Education. (Berita Negara Republik Indonesia Tahun 2020 Nomor 47). This program must also be developed with reference

<sup>1</sup> Admin, Kemendikbud. Kurikulum Merdeka Sebagai Upaya Pemulihan Pembelajaran, diakses dari laman kemendikbud pada 9 Juli 2022 dari sumber: <https://ditsmp.kemdikbud.go.id/kurikulum-merdeka-sebagai-upaya-pemulihan-pembelajaran/>



to the theory of standard-based education or access based education and a competence-based curriculum.

Education based on standards establishes national standards as a minimum quality which is subsequently reduced to standards of graduate competence, content standards, process standards, assessment standards, standards of educators and educational personnel, standard of means and supplies, management standards, and education funding standards.<sup>2</sup>

The Merdeka Belajar Programme is designed and implemented well, so the hard and soft skills of students will be strongly formed. The Merdeka Belajar-Kampus Merdeka Program is expected to produce graduates that match the development of the times, the progress of IPTEK, the demands of the business world and the world of industry, as well as the dynamics of society by forming character (soft skills) in accordance with the ideals and foundations of Pancasila and UUD 1945.

The basic thing about character education is to educate and empower students so that they have a good personality and character in their lives. Lickona<sup>3</sup> Emphasizes the importance of the three components of good character, namely knowledge of morality, feelings about morality and moral acts or behavior. Character education is necessary so that students can understand, feel, and work on the values of virtue. It is in line with the Law No. 20 of 2003 on the National Education System in Article 3, which states that national education serves to develop the capacity and shape the character and civilization of a nation with dignity in order to enlighten the life of the nation.

Noting the concept of independent learning for the entire educational unit which is in the process of establishment is an educational entity that has the readiness to implement the curriculum of independent study according to the policy how correlative it is with the national education system that has been implemented throughout this time.

## **B. Research Method**

The type of research used in this study is a normative jurisprudential approach. Normative research or what is commonly referred to as library law research is the method

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<sup>2</sup> Suwandi, S., Pengembangan Kurikulum Program Studi Pendidikan Bahasa (dan Sastra) Indonesia yang Responsif terhadap Kebijakan Merdeka Belajar-Kampus Merdeka dan Kebutuhan Pembelajaran Abad ke-21, *Jurnal Prosiding Nasional 21 Oktober 2020*, hal 3, diakses 9 Juli 2022 dari sumber: <https://ejournal.unib.ac.id/index.php/semiba/issue/view/956/>

<sup>3</sup> Suwandi, S., *op.cit.*, hal. 5



or method used in legal research carried out by studying existing library materials. The approach taken in this study is a legislative approach and also a literature approach, which is an approach to collecting and analyzing information from various written sources that are relevant to the topic studied.<sup>4</sup>

### C. Results and Discussion

As mentioned by the Minister of Education Mr. Nadiem Makarim that the concept of Merdeka Belajar among others has the following characteristics:<sup>5</sup>

- 1) Project-based learning that aims to develop soft skills as well as character in accordance with the profile of students Pancasila.
- 2) Focus on the essential material, so there's time for in-depth learning for basic competences like literacy and numeration.
- 3) The flexibility of teachers to conduct differentiated learning based on the ability of the students.

For higher education, the implementation of the Kampus Merdeka is one of the policies of the Minister of Education and Culture, Mr. Nadiem Makarim. One of the programmes of the Merdeka Belajar Policy of the Kampus Merdeka is the Right to Study Three Semesters Outside the Programme of Study. The program is a trust of various regulations/foundations of the law of higher education in order to improve the quality of learning and higher education graduates. The legal framework for the implementation of the three-semester policy of the Study Programme is as follows: Act No. 20 of 2003, on the National Education System. Law No. 12 of 2012, on Higher Education. Law Number 6 of 2014, on the Village. Government Regulation No. 04 of 2014 on the Maintenance of Higher Learning and the Management of the College. Presidential Regulations No. 8 of 2012 on the ICNI. Regulations of Ministers of Education and Culture of the Republic of Indonesia No. 3 of 2020, on National Standards of High Education. Regulation of Minister of Village Development, Deserted Territories, and Transmigration No. 11 of 2019, on

<sup>4</sup> Elza Qorina Pangestika, Penerapan Prinsip Hukum Internasional Dalam Penegakan Hukum terhadap Kejahatan Siber dan Seragangan Siber, *Jurnal Review Pendidikan dan Pengajaran*, diakses 25 Juni 2022 dari sumber : <https://journal.universitaspahlawan.ac.id/index.php/jrpp/article/view/28359/19566>

<sup>5</sup> Muhaimin, Persiapan Implementasi Kurikulum Merdeka di Kabupaten Pekalongan, *Berita Pendidikan dan Kebudayaan*, 29 Maret 2022 diakses 9 Juli 2022 dari sumber: <https://ditpsd.kemdikbud.go.id/artikel/detail/kurikulum-prototipe-utamakan-pembelajaran-berbasis-proyek> dan sumber: <https://www.aiminpublicize.com/berita/detail/persiapan-implementasi-kurikulum-merdeka-dikabupaten-pekalongan>



priority use of the Village Fund of the Year 2020. Ministers' Regulations, Rural Development and Trans-migration, No. 16 of 2019, of the Ministers for Rural Development, the Minister of Rural Development of 2019, the Minister for the Year of Trans-Migration, the President's Regulations on the Development of Village and the Year.

The main programmes are: facilitating the opening of new study programmes, changes in the accreditation system of colleges, facilitation of state colleges to a statutory PTN, and the right to study three semesters outside of the study program. Students are given the freedom to take the SKS outside the study programme, three semester which is meant to be 1 semester the opportunity to take courses outside the program of study and 2 semester to carry out learning activities outside the college.

Various forms of study activities outside the university, including internship/practice in industry or other workplaces, conducting community dedication projects in the village, teaching in educational units, following student exchanges, doing research, doing entrepreneurial activities, making independent studies/projects, and taking part in an educational programme. All such activities must be conducted under the guidance of the lecturer. Independent campus is expected to provide contextual field experience that will enhance the competence of students fully, ready to work, or create new jobs. The learning process in Kampus Merdeka is one of the most essential student-centered learning realizations. Learning in Kampus Merdeka provides challenges and opportunities for the development of innovation, creativity, capacity, personality, and needs of students, as well as developing independence in searching and finding knowledge through reality and field dynamics such as ability requirements, real problems, social interaction, collaboration, self-management, performance demands, goals and achievement.

It's relieving enough that in the end the government acknowledges education in Indonesia is an expensive investment. Because, each region has a different human uniqueness and cannot be forced to implement a single system with a fixed indicator. On the concept of character surveys, the government will thoroughly assess the quality of education in schools. Not only about learning outcomes, but also about the ecosystem and the educational infrastructure available. In other words, the development of quality education is no longer about applying fixed quality indicators, but based on the latest survey data of primary, secondary and higher education institutions.

One of the most interesting issues in this concept of independent learning is the expansion of the assessment of learning outcomes that were previously only national test



values, into assignments and portfolios. The future will be given space to be able to develop according to the interests and talents of students. In this way, the stigma of smart and stupid students is expected to be soon eliminated. Because humans have different natural talents, and cannot be determined by formal tests. The quality of education goes up to the 3T region, that is, the region that belongs to the region behind, at the forefront, and at the outermost. Then from the geographical side are in the foremost and outermost areas of the territory of Indonesia.

According to Perpres No. 63 Year 2020 on Restored Territories 2020-2024, there are 62 districts in this category. Some of them are: Nias (North Sumatra), Mentawai Islands (West Sumatra); Musi Rawas North (South Sumatra); North Lombok (West Nusa Tenggara); Middle Sumba & Alor (East Nusa South East); Donggala (Central Sulawesi); Talibau Island (north Maluku); Nabire & Asmat (Papua); and Wondoma Bay & Arfak Mountains. (Papua Barat).

Freedom of learning can also be understood as equal access to education for all students in Indonesia. Therefore, the government has made a policy of affirmation and granting special quotas for students who live in the 3T area. During the pandemic the concept of independent learning was very helpful, but when switching to endemic it needs to be re-examined and arranged so that the independent learning policy is targeted specifically in accordance with the objectives as envisaged in UUD 1945 alenia 4.

The student profile of Pancasila is a lifelong student who is competent and has character in line with the values of Pancasila. This shows the combination between strengthening the identity of the Indonesian nation, namely Pancasila, as a reference to the character of the students of Indonesia; with competences that correspond to the human resource development needs of Indonesia in the context of the development of the 21st Century.

Industry 4.0 is an important moment in the decline in the quality of education in Indonesia. Because by the year 2030 will be the peak of the Indonesian demographic bonus with 64% of the population being the labour force. Indonesian Human Resource Preparedness (SDM) will greatly determine our success in facing competition in Industry 4.0. Especially in the 3T region that still has a very high birth rate.

"Enlightening the life of the nation" is the slogan of the goal of the Indonesian National Education System as set forth in the Basic Law of 1945 alenia IV. Education in Indonesia is still low. According to data from the Directorate of Population and Civil



Records (Dukcapil) of the Ministry of Home Affairs, the population of Indonesia reached 272.23 million by June 2021. Based on the level of education, the number of primary school graduates (SD) is 64.84 million or approximately (23.82%)<sup>6</sup>.

It's because the government's policy hasn't gone as expected. In addition to being caused by economic factors, the main reason for the low quality of education in Indonesia is the education/learning model in Indonesia itself. Education in Indonesia seems to be rigid, monotonous, and boring. This is exacerbated by making values as a measure of student intelligence. If this continues to happen and without any change, then the education system in Indonesia will always be low, backward and definitely lagging behind.

Students' reading scores according to Indonesian Compass news<sup>7</sup> in Programme For International Student Assessment (PISA) 2018 that's announced The Organisation for Economic Co-operation and Development (OECD) stated that Indonesia was ranked number 72 out of 78 countries with an acquisition score of 371. It must be a worrying condition. Ironically, we live in a country rich in natural resources, but still lagging behind, in the field of education.

In addressing the above problems, the Minister of Education, Culture, Research and Technology (Mendikbudristek) Mr. Nadiem Makarim issued a new policy proposed to change the education system in Indonesia that has been stuck. Mr. Nadiem Makarim meant that school, college, students, students and teachers have the freedom to innovate, learn independently and creatively. This teaching independence policy provides the service of independence for each educational unit as well as education unit to be innovative, independent and more creative adapted to the wisdom of the cultural, local, socio-economic, or infrastructure of each institution.

Merdeka Belajar does not mean free to learn or not to learn. Merdeka Belajar means freedom in thinking. Meanwhile, the essence of this freedom of thought must be primarily in the teacher. It's like, if teachers don't have freedom to think, then how can students be free to think? The concept of Merdeka Belajar is very different from the curriculum used by formal education in Indonesia before. Then, what is the role and implications of teachers, lecturers, parents, or educators in realizing independent

<sup>6</sup> Admin Katadata, Pendidikan di Indonesia, diakses 9 Juli 2022 dari sumber: <https://databoks.katadata.co.id/search/news/Pendidikan>

<sup>7</sup> Admin Kemendikbud, diakses 9 Juli 2022 dari sumber: <https://www.kemendikbud.go.id/main/blog/2019/12/hasil-pisa-indonesia-2018-akses-makin-meluas-saatnya-tingkatkan-kualitas>



learning? They act as facilitators. How? With methods, approaches and using learning media that have proven to be effective and enjoyable for students.

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Each student has privileges that differ from one to the other. Then from that, a lecturer should be able to be a pleasant learning mate for students. So that the learning process is truly on its consciousness and independent of its own choices. Because if the students are learning about what's popular, then they'll be happy. Thus, under these pleasant conditions it is believed to have a positive impact in building a love of learning, realizing learning resilience and will realize Freedom of Learning.

With the slogan Merdeka Belajar becomes a key to liberating, advancing and liberating future generations, the successor generation of the nation from the valley of stupidity. Merdeka Belajar can be used as a solution to improve and reorganize the existing education system in Indonesia, because in independent learning policies are designed based on the wishes and prioritize the needs of students. As a way of implementing this, Mr. Nadiem Makarim asked educators to design project-based learning methods aimed at stimulating the creativity of students. Meanwhile, the Merdeka Belajar Programme is also the key to advancing and liberating future generations, the successor generation of the nation from the valley of stupidity.

Education is an unfinished word to discuss. Because education is the heart of life in the organization of human civilization throughout the history of the earth. According to Theodore Brameld that education as power "education as power". Through the process of education man can know his own existence and know his world. The ministry of education Mr. Nadiem Makarim shaken the world of national education with the concept of Merdeka Belajar. A new education system in Indonesia in the modern century to be applied in the teaching learning process into the educational unit, thus giving birth to a new curriculum called the Merdeka Belajar Curriculum.



The independent learning curriculum is also referred to as the training curricula because teachers are required to do a lot of training either online or offline. The emergence of an independent learning curriculum as a response to the education lag in Indonesia. But can we independently learn to solve all the problems in the world of education? Or maybe it's getting more and more stuck by shifting the 2013 curriculum that's already measured?

The birth of an independent learning curriculum was the answer to the rise of intellectualism and rationalism as an integral part of religion. The ethos of curriculum meadi spirit in pancasila humanistically and universally, rather than just matching between Islamic education and modern education (in common). Urgency Curriculum is based on religious education that will give birth to a scientist skilled in noble work (*karakter kebajikan*). It's not just dismissing dictionaries in the national educational concept map. We don't want a student who's smart, always ranked on campus but is amoral, nor do we want a patient, quiet, respectful student of college lecturers but an idiot.

Law No. 20 of 2003 on the National Education System Chapter 1 paragraph 1 explains that education is a conscious and planned effort to realize the learning atmosphere and the learning process so that students actively develop their potential to have the spiritual strength of religion, self-control, personality, intelligence, noble morality, as well as the skills required of themselves, the community, the nation and the State. Further article 2 national education is education based on Pancasila and the Basic Law of the Republic of Indonesia of 1945 which is rooted in religious values, the national culture of Indonesia and responsive to the direction of the changing times. The teaching is based on the teaching of God's Word, and the teachings are based on his teaching, his teachings, and his teachers' teachings. The teachings of God's Word are based upon the teachers' teaching and teaching. *Ing madyo mangun karso* means if the educator is in the middle of his pupils, he should be able to encourage their desire to take initiative and act. *Ing madyo*: in the middle; *mangun*: build, arouse impulse; *karso*: will or will.

When the launch of the National Education Road Map 2020-2035 by the Kemendikbud, which did not include religious phrases in it, raised many protests among educational experts, that the absence of a religious phrase in the Educational Road Map was an opposition to constitution, Pancasila and the 1945 Basic Act were an integral and inseparable unity in the framework of Indonesian shame. This is in accordance with the Decree of the Minister of Education, Culture, Research and Technology No.



009/H/KR/2022 on the Dimensions of the Elements, and Subelements, of the Student Profile of Pancasila on the Merdeka Belajar Curriculum.

In one of his articles, he explained that the student profile of Pancasila is a form of translation of the national educational objectives. The student profile of Pancasila serves as the main reference that guides educational policies, including as a reference for educators in building the character and competence of the pupils. Pancasila's student profile should be understandable to all stakeholders because of its important role. These profiles should be simple and memorable and run by both educators and students in order to be enabled in everyday activities. Based on these considerations, Pancasila's student profile consists of six dimensions, namely: 1) belief, fear of the One God, and noble morality, 2) self-reliance, 3) self-control, 4) global self-esteem, 5) critical, and 6) creative.

Starting with the 2022/2023 academic year, the application of this Kurikulum Merdeka will be dedicated not only to one educational unit but to the entire level of education, such as high school, SD, secondary school, up to college (PT). Of course, the implementation of this curriculum has differences on each level among others: At the SD level, before discussing the differences in the curricula at the SD-level, it is necessary to know first that Merdeka Belajar at the PAUD/TK level means being independent to play. Meanwhile, at the SD level, there are some differences in terms of subjects in the application of the Kurikulum Merdeka. Among them is the merger of the IPA and IPS subjects into one (Natural and Social Sciences), as well as making English, which was previously a local load subject (mulok) as an optional course.

At the secondary level, almost the same as at the SD level, the Merdeka Belajar Curriculum Guide at the middle level also changes the status of some subjects. For example, the Information Technology and Communication (ICT) subject becomes a compulsory subject. In the previous curriculum, this subject was just an option. Then, everywhere in the middle school, it's compulsory to have an Informatics subject.

In high school, for high school level, the use of the Kurikulum Merdeka allows students no longer to be discriminated by various forms, such as IPA, IPS, or Language. Meanwhile, at SMK level, learning models will be made simpler, namely, 70 percent of professional subjects and 30 percent of general subjects. Moreover, at the end of their education period, students are required to complete a scientific essay just as students have to complete their final assignment or thesis when they graduate. This is to sharpen the students' ability to think critically, scientifically, and analytically.



At the College level (PT), the Merdeka Belajar Curriculum of the College is embodied in the Kampus Merdeka Program. In the Kampus Merdeka program, students are given the opportunity to learn something beyond the curriculum they have attended. This can be done in several ways, such as internships, student exchanges, research, independent projects, entrepreneurship, becoming an assistant teacher, as well as a real work college (KKN) themed for building a village.

In every policy implementation, there must be advantages and disadvantages that always accompany. This is the case with the application of the Free Curriculum at various levels of education. The most striking advantage of the application of this curriculum is the presence of specific projects that must be undertaken by the learners so that they can become more active in the attempt to explore themselves. Besides, the curriculum is also more interactive and relevant to the developments of the times. Nevertheless, the implementation of the Kurikulum Merdeka is not free from any shortcomings. For example, the preparation for the use of this curriculum is considered yet to be ripe. This is evident from the still lack of Human Resources (HR) competence to implement this curriculum.

#### **D. Conclusion**

Character is a good objectivity over human qualities. In the Act No. 20 of 2003 has been implicitly described about character education based on the national education system. The basic concept of character education in Indonesia is the education of noble values that originate from the values of religion, culture of the nation, national educational objectives and Pancasila in order to match the profile of students of Pancasila as set out in Kepmendikbudristek No. 009/H/KR/2022 on the Dimension of the Elements, and Subelements, Student Profiles of Pancasila on the Merdeka Belajar Curriculum. Thus formulated the main forms of character among them: religious, honest, tolerance, discipline, hard work, creative, independent, democratic, curiosity, national spirit, love of the homeland, appreciation of achievement, friendly/communicative, peace love, passion for reading, caring for the environment, social care, and responsibility. And that is the measure of Indonesian education based on the quality of student input and optimal results with the indicators of effort implemented.



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