



The Politics Of Education Budgeting Within The Constitutional Framework

Muh Sufyan Hadi^{1*}, Arwin Yafi Rahmatullah²

¹Universitas PTIQ Jakarta, ²Universitas Bumigora

Email: muhsufyanhadi92@gmail.com

Abstract

Education is a constitutional right guaranteed by the 1945 Constitution of the Republic of Indonesia. Article 31 paragraph (4) mandates the state to allocate at least 20% of the national and regional budgets (APBN and APBD) for the education sector. This study aims to analyze the implementation of this policy in both national and local budgeting practices, and to identify factors affecting the compliance of central and local governments with the constitutional mandate. Using a qualitative approach and descriptive-analytical method, data were obtained through literature review, policy documentation, and case studies in selected provinces. The results indicate that although the central government is relatively consistent in allocating the 20%, issues remain regarding the effectiveness of budget utilization. At the regional level, compliance varies significantly, influenced by fiscal capacity, political commitment, as well as institutional and supervisory constraints. This study recommends strengthening regulations, enhancing public oversight, and providing incentives for local governments to ensure the equitable and just realization of the right to education.

Keywords: Education, constitution, budget, public policy, local government.

Introduction

Education is the main foundation for the progress of a nation. In the era of globalization marked by the rapid development of science and technology, the quality of human resources is a strategic factor that determines national competitiveness. In the context of a legal state like Indonesia, the right to education is not just a moral commitment, but a constitutional right guaranteed by the 1945 Constitution of the Republic of Indonesia. Article 31 of the 1945 Constitution, particularly paragraph (4), explicitly mandates that the state is obliged to allocate at least 20% of the State Budget (APBN) and Regional Budget (APBD) to the education sector (Asshiddiqie, 2005).

This constitutional mandate is the result of constitutional reform aimed at strengthening the role of the state in fulfilling the basic rights of citizens. In practice, the 20% education budget allocation not only reflects the state's commitment to human development, but is also an important indicator in assessing the alignment of fiscal policy towards strategic sectors. Therefore, education budgeting cannot be separated from the political dimension, as the budgeting process is the result of negotiation and contestation between political actors with different interests (Asshiddiqie, 2005).

However, the reality of the implementation of this constitutional mandate shows that there are serious problems. Although normatively the 20% figure appears firm and

measurable, in its implementation there are various irregularities and inconsistencies. At the national level, although the education budget allocation has reached the 20% mark, there have been criticisms of the effectiveness and efficiency of its use. For example, most of the budget is still used to pay for personnel expenditure and the operations of the education bureaucracy, while the proportion of the budget for quality improvement, curriculum innovation and the development of educational infrastructure is still limited (M. Marzuki, 2013). At the local level, the problem is more complex. Not all local governments have sufficient fiscal capacity to fulfill the 20% allocation mandate. Most regions, especially those in underdeveloped, outermost and frontier (3T) areas, are still dependent on central transfers, so local budget policies often cannot fully reflect sectoral priorities such as education. In fact, several BPK and MoEC reports found that many local governments failed to fulfill this mandate due to low legal awareness, weak political commitment, and limitations in budget planning and monitoring (Kurniasih, Heni, 2017).

Furthermore, the politics of education budgeting is also influenced by power relations between central and local governments. Regional autonomy, which gives local governments the freedom to prepare APBDs, is sometimes not accompanied by proportional responsibility for the implementation of national policies, including in the education sector. Often, budget allocations are based more on the short-term interests of regional heads and local elites, rather than the strategic needs of long-term education development (Ali, M. M., et al., 2018).

This is where tensions arise between constitutional norms and the practice of budget politics at the local level. This shows that education budgeting policies cannot be viewed solely from a technocratic or administrative perspective. There are political, legal and institutional dimensions that influence each other. Therefore, a constitutional approach to the politics of education budgeting is very important to understand the extent to which basic state norms are obeyed and how political and institutional mechanisms work in the realization of these policies (H. Sauni et al, 2020).

This study is particularly relevant given the importance of education as a key pillar of sustainable development goals (SDGs), especially the fourth goal (quality education). If the constitutional mandate on education budgets is not implemented seriously, the consequences will be the obstruction of education equity, the weakening of the quality of human resources, and increasing socio-economic inequality in society. Thus, this study aims to further examine how the political implementation of education budgeting within the constitutional framework, especially in terms of the implementation of the mandate of 20% of the APBN and APBD. The study will also explore the supporting and inhibiting factors in the implementation process, both at the central and regional levels. This study is expected to provide a comprehensive picture and strategic recommendations in order to strengthen the implementation of the constitutional mandate in a real and sustainable manner.

Method

This research uses a qualitative approach with an analytical descriptive method. Data collection techniques were conducted through literature studies, policy documentation,

and interviews with local government officials and education observers (I. Efendi, & Sesmiarni, Z, 2022). Case studies were conducted in several provinces and cities that had different levels of compliance and non-compliance in implementing education budgets.

Results and Discussion

History of Indonesia's Constitutional Development in the Education Sector Since the beginning of independence

Indonesia's constitution has placed education as a fundamental aspect of nation building. Article 31 of the 1945 Constitution underwent several amendments to strengthen the position of education in the constitutional system. The fourth amendment of the 1945 Constitution in 2002 became an important milestone with the inclusion of article 31 paragraph (4) which requires the state to allocate at least 20% of the APBN and APBD for the education sector (Amelia, Sari, 2020). Education since its inception has occupied a very important position in the constitutional system of the Republic of Indonesia. As the foundation for nation building and improving the quality of human resources, education is recognized as a basic right guaranteed in various regulations, especially in the constitution. The development of constitutional provisions on education in Indonesia reflects the dynamics of national legal and political thinking in placing education as the main instrument for creating social justice and national progress (Yuniarti, R, 2019).

Since the enactment of the constitutional mandate of 20% education budget allocation, realization at the implementation level still faces various obstacles. Many local governments have difficulty complying with this provision due to fiscal constraints or low political commitment (Dedi Supriyadi, 2015). In fact, several state institutions and ministries have also faced public criticism because their education budget allocations were deemed ineffective, despite meeting the quantitative requirements. In this context, the Constitutional Court plays an important role as the guardian of the constitution, among others through decisions that strengthen the position of Article 31 paragraph (4). One example is Constitutional Court Decision No. 011/PUU-I/2004, which affirmed that the government may not reduce the portion of the education budget below the minimum limit set by the constitution. Thus, the history of Indonesia's constitutional development in the education sector not only reflects formal legal dynamics, but also reflects the long struggle between constitutional idealism and political and fiscal realities.

Constitutional Implications for Education Budget Policy

The constitutional mandate makes education a national priority that the government must fulfill. Education budgeting policies are no longer just a moral commitment, but have become a legal obligation. This has resulted in a paradigm shift in budget planning, which must now include an indicator of compliance with the 20% allocation as a parameter of fiscal policy success. Thus, the constitutional mandate on education budget allocation is a major advance in the protection of citizens' right to education. However, its success depends on political commitment, institutional capacity, good budget governance and public participation in overseeing its implementation. The Constitution has provided a solid legal footing; now it is time for the state through all its

components to prove that the education budget policy is not just a formal obligation, but a concrete manifestation of alignment with the future of the nation's generation (A. Adam., & Lanontji, M, 2021).

The Role of the Constitutional Court in Enforcing the Education Budget Mandate

The Constitutional Court (MK) of the Republic of Indonesia is a judicial institution that has a vital function in maintaining the constitution. One form of this responsibility is to ensure that all policies and laws and regulations made by the executive and legislative bodies do not conflict with the 1945 Constitution. In the context of education budgeting, the role of the Constitutional Court is very important, especially in upholding the constitutional mandate regarding the allocation of at least 20% of the State Budget (APBN) and Regional Budget (APBD) for the education sector, as stated in Article 31 paragraph (4) of the 1945 Constitution (T. Prasetyo, 2014).

Conclusion

The constitutional mandate that requires the allocation of at least 20% of the state budget and regional budget for the education sector is an important milestone in the development of human resources in Indonesia. This provision is evidence of the state's commitment to guaranteeing the right to quality, fair and equitable education for all Indonesians. However, in the practice of implementation, there are significant challenges, both at the central and regional levels. The central government has generally demonstrated quantitative compliance with the constitutional mandate, with the education budget allocation exceeding 20% of the total APBN. However, there are still issues in terms of effectiveness, transparency and accountability in the utilization of this budget, especially in ensuring that these large funds really have an impact on improving the quality of national education.

On the other hand, the level of compliance of local governments varies widely. Regions with high fiscal capacity and better bureaucratic systems generally show good compliance and are even able to innovate policies in the education sector. In contrast, many regions with low fiscal capacity, limited infrastructure and weak political commitment have difficulty meeting the minimum 20% requirement due to both technical and structural constraints. Factors such as fiscal constraints, weak governance, overlapping regulations and lack of supervision have slowed down the implementation of this constitutional mandate. On the other hand, the existence of a strong legal basis, the role of the Constitutional Court, the encouragement of civil society, and central fiscal assistance are the main supporting factors in encouraging the fulfillment of the right to education. Thus, efforts to implement the 20% education budget mandate are not just a matter of numerical compliance, but must be understood as an overall strategy to encourage the transformation of quality, inclusive and sustainable national education.



References

- Adam, A., & Lanontji, M. (2021). Kebijakan otonomi perguruan tinggi sebagai dampak reformasi keuangan dalam bidang pendidikan di Indonesia. *Journal of Education and Teaching (JET)*, 2(1).
- Amelia, A., & Kadir, S. (2021). Efektivitas Program Kartu Jakarta Pintar terhadap Akses Pendidikan. *Jurnal Pendidikan dan Kebijakan*, 19(2).
- Asshiddiqie, J. (2005). *Hukum Tata Negara dan Pilar-Pilar Demokrasi*. Jakarta: Konstitusi Press.
- Efendi, I., & Sesmiarni, Z. (2022). Pentingnya metodologi penelitian dalam pendidikan Islam. *Jurnal Penelitian Ilmu Pendidikan Indonesia*, 1(2).
- Hakim, A. R., dkk. (2019). Kajian dampak sengketa tanah terhadap hak atas pendidikan dari perspektif hukum progresif. *Jurnal Magister Hukum Udayana (Udayana Master Law Journal)*, 8(3).
- Handayani, T. (2018). Transparansi dan akuntabilitas penggunaan dana pendidikan. *Jurnal Akuntabilitas Keuangan Negara*, 4(1).
- Kurniawan, A., & Rosyada, D. (2018). Evaluasi implementasi kebijakan pendidikan berbasis konstitusi. *Jurnal Konstitusi*, 18(2).
- Kurniawan, M. A., dkk. (2023). Analisis yuridis praktik liberalisasi pendidikan sebagai implikasi diundangkannya Undang-Undang Nomor 12 Tahun 2012 tentang Pendidikan Tinggi. *Jurnal Diskresi*, 2(1).
- Kurniasih, H. (2017). Pengaruh alokasi anggaran pendidikan terhadap kualitas pendidikan di Indonesia. *Jurnal Ekonomi dan Kebijakan Publik*, 8(2).
- Lestari, D., & Sari, I. (2022). Evaluasi pemanfaatan dana pendidikan di wilayah 3T: Studi kasus Provinsi NTT dan Papua. *Jurnal Analisis Kebijakan Pendidikan*, 14(1).
- Marzuki, M. (2013). Anggaran pendidikan 20% dalam perspektif konstitusi. *Jurnal Konstitusi*, 10(2).
- Mintje, N., dkk. (2022). Analisis kewajiban perpajakan oleh kaur keuangan desa (studi kasus di Kecamatan Tompaso Barat Kabupaten Minahasa). *Jurnal Riset Akuntansi dan Auditing "Goodwill"*, 13(1).
- Mulyasa, E. (2011). *Manajemen dan Kepemimpinan Kepala Sekolah*. Jakarta: Bumi Aksara.
- Naila, S., & Effane, A. (2022). Desentralisasi manajemen pembiayaan dan konflik dalam mahalnya biaya pendidikan. *Karimah Tauhid*, 1(1).
- Nugroho, R. (2022). Peran Mahkamah Konstitusi dalam menjamin hak pendidikan. *Jurnal Hukum dan Konstitusi*, 19(3).
- Patricia, V., dkk. (2024). Dampak ketidakmerataan pembayaran pajak terhadap distribusi pendapatan dan keadilan sosial. *Jurnal Ilmiah Wahana Pendidikan*, 10(8).
- Pramudito, R., & Sutopo, D. (2023). Ketimpangan implementasi anggaran pendidikan di Provinsi Jawa Barat. *Jurnal Pemerintahan Daerah*, 17(3).
- Prasetyo, T. (2014). *Konstitusi dan Pendidikan: Paradigma Keadilan Konstitusional*. Bandung: Nuansa Aulia.

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- Puteri, O. (2018). *Politik desentralisasi: Implikasi penarikan kewenangan pengelolaan pendidikan tingkat sekolah menengah atas dan sederajat di Kota Surabaya* (Disertasi Doktorat, Universitas Airlangga).
- Rahayu, M. (2020). Partisipasi masyarakat dalam pengawasan anggaran pendidikan di Yogyakarta. *Jurnal Demokrasi & Pemerintahan Lokal*, 8(1).
- Sauni, H., dkk. (2020). Kebijakan anggaran pangan berbasis konstitusi pangan. *Jurnal Hukum Sasana*, 10(2).
- Supriyadi, D. (2015). Evaluasi alokasi anggaran pendidikan 20% di era otonomi daerah. *Jurnal Akuntansi dan Kebijakan Publik*, 6(2).
- Tilaar, H. A. R. (2003). *Manajemen Pendidikan Nasional: Kajian Strategis Politik Pendidikan Nasional*. Jakarta: PT Rineka Cipta.
- Wahab, S. A. (2008). *Analisis Kebijakan: Dari Formulasi ke Implementasi Kebijakan Negara*. Jakarta: Bumi Aksara.
- Yuniarti, R. (2019). Politik anggaran pendidikan di Indonesia: Antara kepentingan publik dan elit politik. *Jurnal Kebijakan dan Administrasi Publik*, 22(3).
- Zubaidah, R. (2021). Literasi anggaran pendidikan dan peran media sosial. *Jurnal Media dan Demokrasi*, 7(2).