

Recognition of Pesantren Education in the Indonesian National Education System: A Legal-Educational Analysis

Watni Marpaung¹ Khairul Akmal²

¹ Prodi Hukum Pidana Islam, Faculty of Sharia and Law, Universitas Islam Negeri Sumatera Utara, Medan, Indonesia

Email: watnimarpaung@uinsu.ac.id¹ khaiakmal07@gmail.com²

Article History	Abstract
Received : 08-13-2026 Revised : 09-18-2026 Published : 10-01-2026	The enactment of the Law on Pesantren in 2019 completed a long process by which Indonesia's oldest educational institution acquired explicit statutory recognition, including recognition of pesantren graduates' qualifications and eligibility for state support. Recognition resolves genuine problems of certification and financing, yet it also subjects a historically autonomous institution to the standardising pressures that accompany formal incorporation. This article aims to analyse the legal structure of pesantren recognition, to assess its educational consequences, and to identify the conditions under which recognition can be achieved without erosion of the institution's distinctive character. The study combines normative legal analysis of the statutory framework with institutional analysis drawn from organisational theory, in particular the concept of institutional isomorphism; no field data were collected. The analysis finds that the statute is unusual and commendable in defining pesantren by function rather than by form, protecting the authority of the kiai and the distinctiveness of the institution while granting equivalence of qualifications; that the principal risk lies not in the statute but in the downstream instruments through which equivalence, financing, and quality assurance are operationalised, since each carries coercive, mimetic, or normative pressure toward the organisational forms of formal schooling; and that the equivalence mechanism is the decisive pivot. It recommends that equivalence be assessed against demonstrated competence rather than against structural conformity, that financing instruments avoid conditioning support on formal-school features, and that quality assurance be built on the tradition's own standards of mastery.
Keywords: Educational recognition; Institutional isomorphism; Islamic education; Pesantren; Qualification equivalence.	

I. INTRODUCTION

The pesantren is the oldest continuously operating educational institution in the Indonesian archipelago, predating both the colonial school system and the republic. Its classical form combines residence, personal transmission of authoritative texts under the direction of a kiai, and a curriculum organised by text and mastery rather than by grade and time.¹ For most of the modern period this institution occupied an ambiguous legal position: acknowledged in general terms within the national education system as community-based and non-formal or informal education,² but without a statutory framework specifying the status of its qualifications or its entitlement to public support.

The Law on Pesantren altered that position. It provides statutory recognition of pesantren as institutions of education, da'wah, and community empowerment, affirms

¹Zamakhsyari Dhofier, *Tradisi Pesantren: Studi tentang Pandangan Hidup Kyai* (Jakarta: LP3ES, 1982), 18–30.

²Law Number 20 of 2003 concerning the National Education System, Articles 26 and 30.

their distinctive character, and establishes recognition of their graduates' qualifications together with government responsibility for facilitation and funding.³ Subsequent instruments elaborated the arrangements for pesantren education,⁴ and a presidential regulation established an endowment mechanism for pesantren funding.⁵

Recognition of this kind is generally treated as an unqualified gain, and in important respects it is: it removes the certification disadvantage faced by graduates, provides access to public resources, and secures the institution against administrative marginalisation. Organisational theory nevertheless identifies a systematic countervailing process. Institutional isomorphism describes the tendency of organisations within a shared field to become structurally similar through coercive pressure from regulation and funding, mimetic response to uncertainty, and normative pressure transmitted through professional formation.⁶ An institution that enters a formal field on the strength of recognition is subject to all three.

Scholarship on the pesantren has documented its educational tradition, its adaptation to modern schooling, and the tension between preservation and modernisation.⁷ Legal scholarship on the 2019 statute has analysed its constitutional basis and its funding provisions. What has not been undertaken is an analysis connecting the legal structure of recognition to the institutional dynamics that recognition sets in motion. The objectives of this article are accordingly to analyse the legal structure of recognition, to assess its educational consequences, and to identify the conditions under which recognition can be sustained without erosion of distinctiveness.

II. RESEARCH METHODS

The study combines normative legal analysis with institutional analysis. The legal component analyses the statutory framework doctrinally, examining the definition of the institution, the scope of recognition, the mechanisms of equivalence, and the conditions attached to public support. The institutional component applies the isomorphism framework to identify the pressures that each legal mechanism generates. Primary materials comprise the Law on Pesantren, the National Education System Law, the Higher Education Law insofar as it bears on advanced religious study, the ministerial regulation on pesantren education, and the presidential regulation on the pesantren endowment fund. Secondary materials comprise scholarship on the pesantren tradition and on organisational fields.

Analysis proceeded in three stages: doctrinal reconstruction of what the framework establishes; classification of each mechanism by the type of isomorphic pressure it generates; and identification of the design conditions under which recognition can be maintained without structural convergence. The study collected no field data and makes

³Law Number 18 of 2019 concerning Pesantren, Articles 1, 3–5, and 46–49.

⁴Regulation of the Minister of Religious Affairs Number 31 of 2020 concerning Pesantren Education.

⁵Presidential Regulation Number 82 of 2021 concerning the Pesantren Endowment Fund.

⁶Paul J. DiMaggio and Walter W. Powell, "The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields," *American Sociological Review* 48, no. 2 (1983): 147–160.

⁷Azyumardi Azra, *Pendidikan Islam: Tradisi dan Modernisasi di Tengah Tantangan Milenium III* (Jakarta: Kencana, 2012), 87–104.

no empirical claim about change in particular pesantren; its conclusions concern the pressures the framework creates.

III. RESULTS AND DISCUSSION

A. Recognition by Function Rather Than by Form

The first finding concerns the statute's definitional strategy, which is unusual and analytically important. Rather than defining the pesantren by structural features such as curriculum, duration, or organisational form, the law defines it by function, identifying education, da'wah, and community empowerment as its purposes, and by constitutive elements drawn from the tradition itself.⁸ It further affirms the distinctiveness of the institution and the authority of the kiai.

This strategy is the principal protection the statute affords. Definition by form would have required the pesantren to satisfy criteria derived from formal schooling in order to be recognised as a pesantren at all, which is the standard mechanism by which recognition produces convergence. Definition by function permits structural diversity within recognition and places the burden of accommodation on the recognising system. The drafting is therefore better aligned with the institution's character than comparable recognition statutes in other jurisdictions.

B. Where Isomorphic Pressure Enters

The second finding is that the risk lies downstream of the statute, in the instruments through which recognition is operationalised. Table 1 classifies the mechanisms.

Table 1. Recognition Mechanisms and Isomorphic Pressure

Mechanism	Function	Pressure type and risk
Qualification equivalence	Enables progression to formal education	Coercive: conformity to formal curricular categories
Public funding and endowment	Provides financial support	Coercive: reporting and governance conditions
Quality assurance	Assures standards	Normative: import of school-derived indicators
Teacher qualification requirements	Assures competence	Normative: displacement of traditional licensure
Administrative registration	Establishes legal identity	Mimetic: adoption of formal organisational structure

Source: Legal and institutional analysis, 2026.

The equivalence mechanism is the decisive pivot. Equivalence may be assessed in either of two ways. Structural equivalence asks whether the pesantren's programme resembles a formal programme in duration, subject distribution, and documentation, and grants recognition on that basis; it is administratively convenient and strongly isomorphic, since the route to recognition is conformity. Competence-based equivalence asks whether the graduate demonstrates mastery at the level claimed, assessed by

⁸Law Number 18 of 2019, Articles 1(1) and 5.

instruments appropriate to the tradition's own objects of study; it is administratively demanding but preserves diversity of form.

The classical tradition supplies precedent for the second approach. Licensure in the transmission of texts was historically granted on demonstrated mastery certified by a teacher, not on time served in a programme of standard duration. A competence-based equivalence mechanism is therefore not an accommodation imposed upon the tradition but a recovery of its own standard, expressed in terms the national system can act upon.

C. Funding Conditions and Governance

The third finding concerns financing. Public support is a coercive channel in the isomorphism framework, since conditions attached to funds are enforced by the prospect of their withdrawal. The endowment mechanism established for pesantren funding⁹ mitigates part of this risk by providing a resource stream distinct from ordinary programme grants, but the conditions attached to disbursement remain decisive.

Two design principles follow. Conditions should attach to fiduciary matters, namely the proper use and accounting of funds, rather than to educational form, since the former is a legitimate public interest that carries no isomorphic pressure while the latter reproduces school structures by financial inducement. And reporting requirements should be proportionate to institutional scale, since uniform administrative burdens fall hardest on small institutions and drive either withdrawal from the scheme or the adoption of formal administrative structures that alter the institution's character more than the funding improves its provision.

D. Quality Without Convergence

The fourth finding addresses the objection that resistance to standardisation is a defence of unaccountable provision. The objection has force: recognition entails public interest in the quality of what is recognised, and appeals to distinctiveness can shield weak practice. The analytical response is that quality assurance must be built on standards internal to the practice being assured rather than imported from a different practice.

For the pesantren this is tractable. The tradition possesses explicit and demanding standards of mastery: the capacity to read an unvocalised classical text with grammatical accuracy, to explain its juristic reasoning, and to defend an interpretation under questioning. These are assessable, and their assessment is a stronger indicator of educational quality than the structural indicators typically employed in school accreditation. A quality assurance regime built on such standards would satisfy the public interest while exerting pressure toward excellence within the tradition rather than toward convergence with a different institutional form.

E. Advanced Study and the Question of Academic Hierarchy

A further dimension of recognition concerns advanced study. The statutory framework recognises advanced pesantren education, conducted within the pesantren

⁹Presidential Regulation Number 82 of 2021, Articles 2–4.

itself and oriented toward deep specialisation in the classical disciplines, as a form of higher education.¹⁰ This provision is analytically significant beyond its practical effect, because it addresses the hierarchy that recognition regimes ordinarily impose.

Recognition typically operates asymmetrically: the recognising system determines the terms on which the recognised institution enters, and the resulting hierarchy positions the recognised institution as a subordinate variant of the standard form. Recognition of advanced pesantren study as higher education disturbs that asymmetry, since it asserts that the tradition possesses its own apex rather than terminating at a level from which learners must migrate to the formal system for advanced work. Whether the assertion is sustained depends on whether qualifications so obtained are treated as genuinely equivalent for purposes such as academic appointment and doctoral admission, which is an administrative question that the statute cannot settle by itself.

The analytical point generalises. A recognition regime may be assessed by asking whether it recognises the institution's own hierarchy of accomplishment or only its lower levels. Regimes of the latter kind produce a characteristic pattern in which the recognised institution supplies students to the formal system while its own advanced study atrophies, since the ablest students migrate at the point where recognition ceases. The Indonesian framework has avoided that design, which is a substantial achievement, and the risk now lies in the administrative treatment of the qualifications it creates.

F. Comparative Reference

Comparative experience indicates the range of available arrangements. In some jurisdictions traditional religious schools operate under a registration regime concerned principally with safety, premises, and child protection, with no equivalence of qualifications; the institution retains autonomy but its graduates carry no transferable credential. In others, religious education is incorporated into a parallel state-administered system with its own schools, curriculum, and universities, which secures full recognition at the cost of administrative absorption. The Indonesian arrangement occupies an intermediate position, granting equivalence while preserving institutional autonomy, and this intermediate position is the more demanding to sustain precisely because it does not resolve the tension in either direction.

The sustainability of an intermediate arrangement depends on the durability of the mechanism that translates between the two systems, which returns the analysis to equivalence. Where translation is performed by structural comparison, the intermediate position is unstable, because each successive administrative decision applies formal-system categories and the cumulative effect is convergence. Where translation is performed by competence assessment, the intermediate position is stable, because the two systems meet at the level of demonstrated capability rather than of organisational form. The design choice identified earlier is therefore not merely a technical preference but the condition on which the arrangement's viability rests.

¹⁰Law Number 18 of 2019 concerning Pesantren, provisions concerning Ma'had Aly as advanced pesantren education.

G. The Function of Community Empowerment

One element of the statutory definition deserves separate attention because it is easily treated as ornamental. The law identifies community empowerment, alongside education and da'wah, as a constitutive function of the pesantren. Read as a legal provision this is unusual, since educational statutes ordinarily define institutions by their instructional function alone, and it has a specific interpretive consequence: an instrument that assessed a pesantren solely against educational indicators would be assessing it against a partial statement of its statutory purpose.

The provision also has a pedagogical significance that the recognition debate tends to overlook. Where an institution's educational activity is embedded in the life of a surrounding community, the learning it provides is situated in a way that formal schooling generally is not, and the graduate's competence is demonstrated through service rather than through examination alone. This is, in the vocabulary of contemporary educational theory, an authentic and socially embedded model of learning, and it constitutes an argument for the institution's distinctiveness that does not rest on tradition or on religious identity, and that is therefore available in any policy forum.

The design implication is that quality assurance instruments should include the empowerment function rather than confining themselves to instructional indicators, and that the resulting assessment should look to demonstrated community contribution rather than to documented programme existence. This is consistent with the general argument advanced here, namely that assessment built from the institution's own purposes is both more faithful and more demanding than assessment imported from a different institutional form.

H. Limitations

Two limitations should be stated. The analysis is legal and institutional rather than empirical: it identifies pressures generated by a framework, not changes observed in institutions, and the isomorphism framework predicts tendencies rather than determining outcomes, since institutions possess resources of resistance that the framework does not model. The pesantren in particular has historically demonstrated considerable capacity to absorb external requirements while preserving its internal practice, and a pessimistic prediction drawn from organisational theory alone would understate that capacity. Second, the pesantren sector is highly heterogeneous, ranging from institutions that have long operated formal schools alongside classical instruction to those that have not, and the pressures analysed here will operate differently across that range.

IV. CONCLUSION

This study asked how pesantren recognition is legally structured, what its educational consequences are, and under what conditions recognition can be sustained without erosion of distinctiveness. It found that the statute's definition of the pesantren by function rather than by form constitutes its principal protection, and that the drafting is unusually well aligned with the institution's character. It found that isomorphic pressure enters downstream of the statute, through equivalence assessment, funding

conditions, quality assurance indicators, teacher qualification requirements, and registration, and that the equivalence mechanism is the decisive pivot because it determines whether recognition is earned by conformity or by demonstrated competence. It found that the tradition's own standards of mastery supply a basis for quality assurance that satisfies the public interest without inducing convergence.

The theoretical implication is that the recognition of a distinctive educational institution should be analysed at the level of operational instruments rather than at the level of the recognising statute, since the statute allocates status while the instruments allocate pressure. The practical recommendations are to assess equivalence against demonstrated competence rather than structural conformity, to attach funding conditions to fiduciary rather than educational matters and to scale reporting to institutional size, and to construct quality assurance from the tradition's own standards of mastery. Subsequent research should examine equivalence decisions as they accumulate, and should test empirically whether institutions participating in public funding schemes exhibit measurable structural convergence relative to those that do not.

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