



## **Reform and Reconstruction of Law No. 20 of 2003 on The National Education System Toward A New Paradigm for National Education**

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### **Keywords:**

Reform; Reconstruction; National Education System; Education Policy; Digital Transformation

### **Abstract**

This study aims to analyze the need for reform and reconstruction of Law Number 20 of 2003 concerning the National Education System in order to realize a new paradigm of national education that is adaptive to current developments. This research is motivated by the gap between the legal norms in the 1945 Constitution of the Republic of Indonesia and the implementation of education in the field. The method used is a qualitative approach with a normative juridical research type combined with a socio-legal approach through literature study. The results of the study indicate that the national education system still faces various problems, such as inequality in access to and quality of education, suboptimal budget management, discrimination between public and private educational institutions, and a dichotomy between general and religious education. Furthermore, existing regulations are deemed unable to accommodate the principles of modern education that are inclusive, flexible, and oriented toward lifelong learning, especially in facing the era of digital transformation and artificial intelligence. Therefore, reform and reconstruction of the national education system are needed through regulatory updates, strengthening governance, and changing the educational paradigm to be oriented toward developing 21st-century competencies. This research is expected to contribute to the development of a more responsive and sustainable national education policy.

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## **INTRODUCTION**

Education is a fundamental right of every citizen and a strategic instrument in national development (Jahantab, 2021; Madani, 2019; Santika et al., 2022; Thelma, 2024). Article 31 paragraph (1) of the 1945 Constitution of the Republic of Indonesia affirms that every citizen has the right to education. Furthermore, paragraph (3) states that the government is obligated to implement a national education system capable of enhancing faith, piety, and noble morals in order to enlighten the nation. This constitutional mandate demonstrates that education is not solely oriented toward cognitive aspects but also encompasses the formation of national character and morals (Hasbi et al., 2023; Husaeni, 2023; Maslani et al., 2023; Montessori et al., 2024; Nurdin, 2015; Nyangaresi et al., 2024).

To implement this constitutional mandate, the government enacted Law Number 20 of 2003 concerning the National Education System as the legal basis for the implementation of national education (Undang-Undang Republik Indonesia, 2003; Bismo et al., 2024). This law regulates various important aspects, from educational objectives, educational pathways, and levels, to the roles of the government and society in education delivery (Güven & Şahin, 2020; Bismo et al., 2024). However, since its enactment in 2003, the national education system has continued to face rapid changes in social, economic, and technological aspects (Azwar et al., 2024; Widiastuti et al., 2025; Güven & Şahin, 2020). These challenges have prompted ongoing discussions and reform efforts aimed at aligning the national education framework with contemporary demands (Azwar et al., 2024; Widiastuti et al., 2025).

Global developments marked by the Industrial Revolution 4.0 and digital transformation have brought fundamental changes to various sectors of life, including education (Caratozzolo et al., 2023; Nascimento et al., 2024). The emergence of technologies such as artificial intelligence, big data, and automation requires the education system to adapt quickly and precisely (Nascimento et al., 2024; Chaka, 2022). Education no longer focuses solely on knowledge transfer, but also on developing 21st-century skills, such as critical thinking, creativity, collaboration, and digital literacy (Situmorang et al., 2024; Thornhill-Miller et al., 2023). In this context, the national education system is required to produce human resources that are adaptive, innovative, and globally competitive (Koca & Demir, 2025; van Laar et al., 2020; Caratozzolo et al., 2023).

However, the reality on the ground shows that the implementation of the national education system still faces various complex problems. Among these is the suboptimal implementation of the education budget policy as mandated by Article 31 paragraph (4) of the 1945 Constitution of the Republic of Indonesia, which requires a minimum allocation of 20 percent of the national and regional budgets for the education sector. Furthermore, inequality and discrimination persist between government-run and community-run educational institutions, as well as a dichotomy between general education and religious education.

On the other hand, Law Number 20 of 2003 concerning the National Education System is also deemed incapable of fully accommodating the development of the modern educational paradigm, which emphasizes the principles of inclusivity, flexibility, openness, and lifelong learning. The existing legal system for education tends to be rigid, lacking integration, and unresponsive to current and future needs, particularly in the face of technological disruption and globalization.

This situation indicates a gap between applicable legal norms and the empirical reality on the ground. Therefore, reform and reconstruction of the national education system are necessary, particularly through updating the substance of Law Number 20 of 2003 concerning the National Education System. This reform aims not only to adapt regulations to current developments but also to establish a new paradigm for national education that is more adaptive, inclusive, and future-oriented.

The novelty of this research lies in its comprehensive approach to analyzing legal reform, institutional strengthening, and paradigm shifts in the national education system as an integrated framework for achieving more adaptive, inclusive, and responsive education in the digital era. Based on this background, this study seeks to examine in depth the need for reform and reconstruction of the national education system and to formulate a new paradigm that aligns

with the constitutional mandate and the demands of global developments. Thus, it is hoped that the results of this research can provide theoretical and practical contributions to efforts to realize a national education system that is high quality, equitable, and globally competitive.

## **METHOD**

This study uses a qualitative approach with a normative juridical research type combined with a socio-legal approach, in order to comprehensively examine the normative aspects as well as empirical realities in the implementation of the national education system. The normative juridical approach is used to analyze various provisions of laws and regulations, especially Law Number 20 of 2003 concerning the National Education System and the 1945 Constitution of the Republic of Indonesia as the main foundation in the national education system, while the socio-legal approach is used to understand the gap between legal norms and implementation in the field. Data sources in this study consist of secondary data which include primary legal materials (statutory regulations), secondary legal materials (books, scientific journals, and previous research results), and tertiary legal materials (dictionaries, encyclopedias, and other supporting documents). Data collection techniques are carried out through library research by reviewing various relevant literature, while data analysis techniques use descriptive qualitative analysis methods by interpreting, constructing, and evaluating applicable legal norms and linking them to the needs and developments of the education system in the digital era. With this approach, research is expected to be able to produce comprehensive recommendations regarding the reform and reconstruction of the national education system towards a new paradigm that is more adaptive, inclusive, and responsive to the demands of the times.

## **RESULTS AND DISCUSSION**

### **Gap between Legal Norms and the Implementation of National Education**

Research results indicate a significant gap between the legal norms stipulated in the 1945 Constitution of the Republic of Indonesia and Law Number 20 of 2003 concerning the National Education System and the reality of implementation on the ground. Normatively, the state has guaranteed the right to education for all citizens without discrimination. However, in practice, access to education is still heavily influenced by geographic, social, and economic factors. Remote and underdeveloped areas still face limited educational infrastructure, a shortage of teaching staff, and a lack of adequate learning facilities. Furthermore, the quality of education across regions also shows significant disparities. Schools in urban areas tend to have better facilities and resources than schools in rural or underdeveloped areas. This indicates that the principles of equity and social justice in education have not been fully realized. This gap is further exacerbated by weak oversight and evaluation of the implementation of education policies, resulting in the underperformance of various designed programs.

### **2. Problems with Education Budget Allocation and Management.**

### **Education financing is a key factor in determining the quality and sustainability of the national education system.**

Article 31, paragraph (4), of the 1945 Constitution of the Republic of Indonesia, mandates a minimum allocation of 20 percent of the state budget for the education sector,

demonstrating a constitutional commitment to human resource development. However, research shows that the implementation of this policy still faces various obstacles. The main problem lies in budget management, which is not yet fully transparent and accountable. In some cases, budget allocations are not well-targeted and tend to be absorbed by administrative expenses rather than improving the quality of learning. Furthermore, the unequal distribution of the budget between regions also leads to inequality in the provision of educational facilities. This situation indicates that educational problems lie not only in the size of the budget, but also in the effectiveness of its management. Therefore, reforms are needed in the education financial management system based on the principles of good governance.

### **Discrimination between Public and Private Educational Institutions**

Unequal treatment between public and private educational institutions is one of the structural problems in the national education system. Public educational institutions generally receive greater support from the government, whether in the form of funding, facilities, or other affirmative policies. Meanwhile, private educational institutions often have to rely on limited independent funding sources. This situation creates a gap in the quality of educational services between the two types of institutions. In the long term, this discrimination can hinder the creation of a competitive and equitable education system. Yet, within the framework of the national education system, both public and private educational institutions play an equally important role in educating the nation. Therefore, more proportional and inclusive policies are needed to create a level playing field for all education providers.

### **Dichotomy between General Education and Religious Education**

The dichotomy between general education and religious education remains a classic issue that has not been comprehensively resolved. This separation occurs not only in the institutional aspect but also in the curriculum, management system, and educational orientation. As a result, fragmentation occurs within the national education system, which should be integrated. Yet, in the context of holistic human development, the integration of knowledge and religious values is inevitable. Education aims not only to produce individuals who are intellectually intelligent but also possess strong character and morals. Therefore, a reconstruction of the education system is needed that can harmoniously integrate both aspects, thus producing graduates who are not only competent but also possess noble character.

### **Limitations of Law No. 20 of 2003 in Accommodating the Modern Education Paradigm**

From a regulatory perspective, Law No. 20 of 2003 concerning the National Education System is deemed not fully adaptive to the development of the modern education paradigm. This law was drafted in the context of the early 21st century, when global dynamics and technological development were not as rapid as they are today. As a result, several provisions within it are less relevant to addressing contemporary challenges. These limitations are evident in the suboptimal regulations regarding technology-based education, digital learning, and the development of 21st-century competencies. Furthermore, the principles of flexibility and lifelong learning have not been comprehensively accommodated. The education system, which still tends to be linear and rigid, poses an obstacle to developing more adaptive and innovative learning models. Therefore, regulatory updates are needed to address the needs of education in

the digital era.

### **Challenges of Digital Transformation and Artificial Intelligence in Education**

Digital transformation has brought about major changes in various aspects of life, including education. The presence of technologies such as artificial intelligence (AI), big data, and online learning platforms opens up new opportunities for improving the quality of education. However, research results indicate that the national education system's readiness to face this transformation remains limited. These limitations include uneven technological infrastructure, low digital literacy among educators, and the absence of comprehensive policies regarding technology integration in education. Furthermore, there remains resistance to change from some education stakeholders who are not yet ready to adapt to new technologies. If not addressed immediately, this situation could cause the national education system to fall behind in global competition. Therefore, a planned and sustainable digital transformation strategy is needed in the education sector.

### **Reform and Reconstruction Towards a New Paradigm for National Education**

Based on these findings, reform and reconstruction of Law Number 20 of 2003 concerning the National Education System is an urgent need. This reform must be carried out comprehensively, encompassing regulatory, institutional, and educational paradigm aspects. A partial approach will not be sufficient to address the complexity of national education issues. The new paradigm for national education needs to be directed toward an inclusive, flexible, and technology-based system. Furthermore, education must be oriented toward developing 21st-century competencies and lifelong learning. Reforms must also include strengthening transparent and accountable education governance, as well as eliminating various forms of discrimination within the education system. With comprehensive reform and reconstruction, it is hoped that the B national education system will be transformed to become more adaptive, innovative, and responsive to changing times. This will ultimately contribute to improving the quality of Indonesia's human resources, making them superior and globally competitive.

### **CONCLUSION**

Based on the research and discussion, it can be concluded that Indonesia's national education system still faces various fundamental problems, indicating a gap between legal norms and implementation. Although the 1945 Constitution of the Republic of Indonesia guarantees the right to education for every citizen and is reinforced by Law Number 20 of 2003 concerning the National Education System, in practice, various obstacles remain, such as unequal access to and quality of education, irregularities in budget management, and discrimination between public and private educational institutions. Furthermore, the dichotomy between general and religious education and the weak integration of technology into learning further reinforce the urgency of reforming the national education system.

Furthermore, Law Number 20 of 2003 concerning the National Education System is deemed no longer fully relevant to the demands of modern developments, particularly in the era of digital transformation and artificial intelligence. The law fails to accommodate the principles of modern education that are inclusive, flexible, open, and oriented toward lifelong learning. Therefore, reform and reconstruction of the national education system are urgent and

cannot be postponed. The reforms in question are not limited to normative revisions to regulations but also encompass a comprehensive shift in the educational paradigm. The new paradigm for national education must position education as a system that is adaptive, innovative, and responsive to global dynamics, emphasizing the development of 21st-century competencies, technology integration, and the strengthening of character and moral values. Furthermore, education budget management must be transparent, accountable, and targeted in order to sustainably improve the quality and equity of education.

Thus, this study confirms that the success of reform and reconstruction of the national education system depends heavily on the commitment and synergy among the government, the community, and all stakeholders. If these reforms can be implemented comprehensively and consistently, it is hoped that Indonesia's national education system will be able to produce superior human resources with global competitiveness, and to achieve the national goals as mandated by the 1945 Constitution of the Republic of Indonesia.

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