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FULFILLMENT OF CONSTITUTIONAL RIGHTS OF BELIEFS PARAMASAN UPPER PRIMARY SCHOOL STUDENTS

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ABSTRACT

The existence of believers in various regions in Indonesia should be a concern of the government, especially in the field of education after the issuance of Permendikbud No. 27 of 2016 on The Service of Education Penghayat Trust, no exception the Students of SD Kecil Paramasan Atas as adherents of Kaharingan Trust. This study provides facts that occur in schools and provides answers and solutions on how to learn for Kaharingan Believers students at SD Kecil Paramasan Atas. This study aims to: (1) Describe the process of religious learning of Kaharingan Believers at SD Kecil Paramasan Atas, (2) Explain the fulfillment of the rights of Kaharingan believers in the learning process at SD Kecil Paramasan Atas, (3) Explain the impact that occurs unfulfilled rights of Kaharingan Believers in the process of religious learning at SD Kecil Paramasan Atas. This study uses qualitative method, data retrieval technique using purposive sampling. The results showed that during the process of religious learning students get Islamic subjects, learning is directed towards ethics and the planting of good values. Students and parents do not care about the religious lessons taught by the school. The rights of students in education have not been fulfilled, as in the learning process students do not get religious subjects that are in accordance with the beliefs embraced, do not get educators who are in accordance with the beliefs of students. Students have difficulty answering semester exams because the questions obtained are not in accordance with the teaching. The religious value written on the Islamic report card, the value is only a formality because the student does not exist Islamic. The problem of believers in SD Kecil Paramasan Atas is complex enough that it needs to be resolved immediately in order for students to get their rights in education.

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PRELIMINARY

In Indonesia, there are 6 (six) religions that are currently recognized by the state, namely Islam, Christianity, Catholicism, Hinduism, Confucianism and Buddhism. Religion and belief are two different things according to the government. The 1945 Constitution Article 29 paragraph 2 states "The State guarantees the freedom of every citizen to embrace their own religion and to worship according to their religion and beliefs." This article explains that the freedom to embrace a religion and have belief in a belief is something guaranteed by country. The word "and" in the article shows that "religion" and "belief" are two different but equivalent (Gardanita, 2020).

Adherents of belief in Almighty God exist in various regions in Indonesia to this day. The government must pay attention to this condition in creating justice for believers. As citizens, believers have the right to receive the same services as those of an official religion recognized by the state, especially in the field of education.

The government only recognizes the existence of religion which is limited to six religions and creates problems in the management of religion in Indonesia. One of the problems that arises is the birth of a dichotomy between 'recognized' and 'unrecognized' religions, majority and minority, local religion and global religion, primitive, modern, and so on. Official state religions receive facilities, while local religions are only positioned as oppressed, marginalized and judged religions that do not have space for expression in practicing their religion. Local religions are positioned only as targets for 'enlightenment' through da'wah and other awareness movements (Hasse, 2010)

In some cases, believers still do not get their rights, such as not being allowed to take holidays on the days of worship of their beliefs. National holidays and religious holidays are determined by the state so that they only commemorate religions recognized by the state. This

condition is of course still not democratic because believers do not have the freedom to practice their beliefs (Muchimah & Ulum, 2020).

The results of reinvention by the Directorate of Culture in 2014 show that: (1) trust organizations are spread across 13 (thirteen) provinces, 62 (sixty two) districts and 15 (fifteen) cities and (2) the number of trust organizations is 193 level organizations central level, 1017 branch level organizations, and organizations at the central level are 155 active and 38 inactive organizations. The results of the reinvention show that the highest number of Faith-Based Organizations by province are in sequence in Central Java (29.03%), East Java (26.45%), Special Region of Yogyakarta (11.61%), DKI Jakarta (7.74 %), North Sumatra (7.09%), Bali (5.16%), West Java (4.52%), Lampung (3.22%), East Nusa Tenggara (1.93%), North Sulawesi (1.93%), West Nusa Tenggara (0.65%), and Riau (0.65%). Faith Organizations are spread across 73 (seventy three) regions consisting of 51 districts and 22 cities (Directorate of Belief in One God and Tradition, 2016)

Study relevant to entitled "Education for Belief in God Almighty: Fulfilling the Rights of Faithful Students in Schools". This research discusses Belief Education in God Almighty in schools for students who believe in Faith in Cilacap Regency. The results of the research explain that in Cilacap Regency there are 14 schools, ranging from Elementary Schools, Middle Schools to High Schools that provide these educational services. In its implementation, the school collaborates with MLKI (Indonesian Supreme Court of Trust) Cilacap in providing teachers, materials, syllabus, core competencies, basic competencies and test questions. (Zakiyah, 2018).

Other relevant research is by (Asad, 2019), Yogyakarta State University with the title "The Complexity of Fulfilling the Rights of Faith Education for Believers of the Sapta Darma Faith in the City of Yogyakarta". This research discusses the fulfillment of the rights of students who believe in the Faith. The results of the research show that accessibility for Faith Education

students in the City of Yogyakarta has progressed rapidly. This is because Faith Education can be accessed by all believers in the city of Yogyakarta. However, acts of discrimination against students who believe in the Faith still occur, giving rise to intimidating actions against the Believers in accessing Faith Education. The challenges that must be faced come from internal and external. Internal factors are (a) Limited Human Resources both in quantity and quality, (b) The presence of Sapta Darma Trustees who are still affiliated with Religion, (c) Internal Sapta Darma Trustees are not solid. External factors, (a) laws and regulations that have the potential to discriminate against believers, (b) overlapping laws and regulations, (c) state policies across sectors that are not in sync, thus hampering the implementation of the fulfillment of the rights of believers in belief education.

Other relevant research conducted by (Revelation, 2019) Sunan Ampel State Islamic University (UIN) with the title "Education of Faith-Bearing Children at SMA 9 and SMP 59 Surabaya". This research examines the policies, practices and evaluation of Faith-Wishing Children in these two schools. The research results revealed that The education of children who adhere to the faith at SMA 9 has been going on for almost 2 years and at SMP 59 it has only been going on for less than a year because it was just held. Each school only has one student with the same teacher for both schools. The two schools do not have written policies regarding class provision, but have different treatment towards teaching staff. Then in practice, SMA 9 carries out learning activities in the school library or school laboratory, while at SMP 59 it takes place in the teacher's house or the Sapta Darma prayer studio. Findings in the field concluded that (1) both schools had complied with the government's laws to fulfill the educational rights of children who were religious, (2) there were differences between the two schools in supporting the success of these teaching practices, (3) because of the laws and implementation of education. The adherents of this belief are still new, so evaluation is needed so that they can experience improvements and refinements in the future.

The stipulation of Minister of Education and Culture Regulation Number 27 of 2016 is a form of state recognition that the government must provide services to believers. For this reason, this regulation needs to be implemented so that students who believe in their beliefs get their rights. Upper Paramasan Elementary School students as adherents of the Kaharingan Belief are only a small part of the indigenous Indonesian community, especially in South Kalimantan, who still have problems with self-development in carrying out their beliefs as citizens who are part of the unity of national identity.

Administratively, students at Paramasan Atas Small Elementary School, apart from being registered as believers, are also registered as Hindus on their Family Cards. In fact, the students at Paramasan Upper Elementary School are adherents of the Kaharingan belief. Hinduism and Kaharingan are two different things. In the learning process for Upper Paramasan Small Elementary School students who receive Islamic Religion Subjects, they face many obstacles during the learning process, such as the difficulty of students following the learning process both in theory and practice because it does not match the students' beliefs. When the semester exams take place, many students complain that the exam questions are too difficult because they cannot answer them. This condition is still ongoing in the learning process, for this reason the school and interested people must adopt policies so that students can obtain their rights according to applicable regulations.

This issue is important to research because it relates to the rights of citizens to embrace the beliefs held as a form of a democratic state based on the first Pancasila, namely Belief in One Almighty God. The state should provide freedom and protection to its citizens in practicing their respective religions and beliefs. The state must facilitate believers in carrying out their worship, especially in the field of education.

In South Kalimantan, this research is considered new in relation to students' rights to receive Kaharingan Trust Education. It is possible to do further research so that adherents of the Kaharingan belief can achieve justice in the state. Research related to students adhering to

the Kaharingan Faith at Paramasan Atas Small Elementary School can draw a picture of the educational services they receive as citizens.

RESEARCH METHODS

The method used in this research is qualitative method. With qualitative research methods, the research results will be described based on what is found in the field. The data collection techniques used were observation, interviews and documentation. The data analysis technique uses triangulation. This research was carried out at Upper Paramasan Elementary School, Paramasan Village, Paramasan District, Banjar Regency, South Kalimantan Province. The reason for choosing this location was because based on observations in Paramasan District, Upper Paramasan Small Elementary School students still adhered to the Kaharingan Belief as a whole

RESEARCH RESULTS AND DISCUSSION

The number of religious adherents in Paramasan District is 2014 Muslims, 108 Protestants, 2 Catholics, 1632 Hindus, 7 Confucians and 94 religious people.

Table 1.1

Data on the Number of Religious Followers in Paramasan District

Islam	Protestant	Catholic	Hindu	Buddha	Confucian	Trust
2014	108	2	1632	-	7	94

Source: BPS Secondary Data, Banjar Regency in Figures 2021

Students adhering to the Kaharingan Faith at Upper Paramasan Small Elementary School during the learning process receive Islamic religion lessons at school. Teachers still use Islamic religious themes but relate them to exemplary values or the goodness of each material. Currently, religious learning prioritizes instilling character and morals in every material. This opinion is in accordance with what was conveyed by (Su'dadah, 2014) that religious and character education aims to make students have good morals. Through character education, students apply honest, trustworthy, optimistic attitudes and behavior. The values that can be

applied in character education are part of morals. Religious moral values are integrated into character, they will gain more knowledge and teaching about morals.

In the learning process, students adhering to the Kaharingan faith at SD Kecil Paramasan Atas have not received their rights. The people who adhere to the Kaharingan belief in Paramasan Atas Village do not know their rights to education because of the lack of public understanding of their rights and the lack of public education. As stated by (Nazmi et al., 2018) that the obstacles experienced by the community in fighting for Kaharingan to become a religion in Indonesia are internal and external obstacles. Internal obstacles come from individuals, namely lack of education, poverty and easy trust in other people. External obstacles are the lack of public understanding regarding the legal provisions that apply in regulating changes in status from belief to religion.

There are no Kaharingan belief teaching staff at Paramasan Atas Small Elementary School, which means students receive learning that is not in accordance with the beliefs they adhere to. Religious teachers at schools feel confused about teaching material to students because it is not their belief. Religious teachers also teach reading and arithmetic so that students continue to study during religious class hours. Educators who adhere to the faith should refer to the Minister of Education Regulation Number 27 of 2016, namely "Educators are educational staff who are qualified as teachers, tutors and other titles appropriate to their specialty and participate in organizing Belief Education in God Almighty". Educators here should understand Kaharingan teachings so that students understand and apply these teachings in life.

Parents of students do not object and neither do students when studying Islam at school. They argue that all religions are the same and equally good. Acceptance of Islam is due to similarities in believing in the Almighty God. This opinion is in accordance with (Norhidayah, 2019) that there is a value of aqidah education that is meaningful between the Islamic religion

and the Kaharingan religion in the Aruh Tradition, namely the obligation to believe in Allah SWT (Almighty God), the obligation to believe in the existence of Allah SWT (Almighty God), and to believe only in Allah SWT (God the Almighty). Almighty asks for help and only Allah SWT (Almighty God) can provide help.

In other respects there are similarities in the process of human creation. In the history of Islam, the process of creating the first human being, namely the Prophet Adam, was then created by Eve. This story is also found in the beliefs of Kaharingan believers. This opinion is in accordance with what was stated by (Radam, 1987) Limbagan is a human being made from soil. The living and moving limbangan was named by Jabaril with the name Adam or Datu Adam. The atmosphere was still quiet, Jabaril suggested to Suwara that Datu Adam be given another friend. Jabaril then took Datu Adam's ribs, and after placing a spell on him a human woman emerged and was given the name Hawa or Datu Tihawa. The hill people's view of the universe and humans was first influenced by Islam.

Apart from the similarities above, there are differences between Islam and Kaharingan. According to (Radam, 1987) There are 3 gods believed in by followers of the Kaharingan belief, namely the first, Suwara, the creator of the universe and the first human, the seven protective plants. The second is called Nining Bahatara as the god who regulates human fortune and destiny. Third, Sangkawanang is the god who gives and determines the authority of rice.

Religious freedom has not yet been felt by students who adhere to the faith at SD Kecil Paramasan Atas. Religious freedom should be obtained by students, because from there students will feel an attitude of tolerance and respect between religious believers. This opinion is in accordance with what was conveyed by (Yunita, 2021) Religion and belief are matters of belief that cannot be forced, for this reason we must be tolerant. Our religious tolerance does not mean mixing religious teachings, the purity of religious teachings must be maintained.

National Education System Law Number 20 of 2003 Article 12 Paragraph 1 which reads "Every student has the right to receive religious education in accordance with the religion he adheres to and taught by educators of the same religion". The conditions at the Upper Paramasan Small Elementary School are different, the students are taught by educators who are not in accordance with the beliefs they hold and the religious education they receive is not in accordance with the students' beliefs.

Religious subject matter taught by teachers generally focuses on character and good values. However, the semester exam questions that students get are questions about Islamic studies in accordance with the curriculum, so that during the semester exam students do not understand the questions related to the verses of the Koran. The suitability between exam questions and the material taught influences student learning outcomes.

The distribution of student learning outcomes in the form of report cards is obtained at the end of the semester. The subject of Islamic Religion is written on the Kaharingan Belief students' report cards with various grades in the form of numbers and descriptions. This grade is made to fulfill the religious subjects on the student's report card and is just a formality. Student learning outcomes should cover 3 aspects, namely knowledge, attitudes and skills. This opinion is in accordance with (Sudjana, 2009) that learning outcomes are basically changes in behavior as a result of learning in a broader sense including cognitive, affective and psychomotor.

In the Class IV Elementary School Social Sciences (IPS) Curriculum there is Basic Competency 3.2 Identifying social, economic, cultural, ethnic and religious diversity in the local province as the identity of the Indonesian nation and its relationship with spatial characteristics. These basic competencies are in Theme 1 The Beauty of Togetherness and Sub Theme 1 The Cultural Diversity of My Nation. Students will explain ethnic, religious and cultural diversity in class.

The explanation given to students regarding diversity in the school environment makes students aware of the importance of maintaining diversity to uphold an attitude of tolerance in order to maintain unity and integrity. Through social studies learning, divisions in life due to differences can be avoided. This opinion is in line with (Abbas, 2014) that social studies learning is used to utilize certain sciences (concepts), making them understand and overcome the problems of their lives, both individually and socially while preparing themselves to become good citizens.

CONCLUSION

The conclusion obtained from this research is that students who adhere to beliefs at SD Kecil Paramasan Atas in the learning process do not receive religious lessons that are in accordance with their beliefs. Religious learning at Paramasan Atas Small Elementary School remains on the theme of Islam but is directed towards Characteristics and adopting good values in it. There is no teaching staff and a curriculum that adheres to the Kaharingan Beliefs so that students have not received learning according to the students' beliefs. The rights as citizens according to the Constitution of the Minister of Education and Culture Number 27 of 2016 have not been obtained. The impact felt by Upper Paramasan Small Elementary School students when answering semester exam questions was that they felt difficulty because the questions given were not in accordance with their beliefs and did not match the material taught by the teacher. The religious value on students' report cards is not the religion they follow, so the value is just a formality. Students cannot carry out the values of their religious teachings according to the aim of religious education, namely preparing students who understand and practice religious teachings and/or are experts in religious knowledge.

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