

FULFILMENT OF THE RIGHT TO EQUITABLE EDUCATION FOR MEMBERS OF BELIEVERS OF MYSTICAL GROUPS IN INDONESIA

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ABSTRACT

The results showed that the definition of Believers of Mystical Groups is often equated with the notion of folk religion (or local religion, regional religion) is a term used in religious and folkloristic studies to describe various forms and applications of religions that are considered different from organized religious doctrines and practices. Folk religion has different definitions, according to scholars. There are three types of barriers to fulfilling constitutional rights for Believers of Mystical Groups, especially in education, namely philosophical barriers, juridical barriers, and sociological barriers. In the case of making legislation related to the fulfillment of the right to equitable education for members of Believers of Mystical Groups, it should be done by adopting the concept of participatory justice. In the matter of realizing the right to equitable education for members of Believers of Mystical Groups, the government should be more careful and always guided to the values of Pancasila (Five Principles of the Indonesian State), especially in the 2nd principle, namely just and civilized humanity and the 5th principle on social justice for all Indonesian people.

Keywords: Human Rights, Equitable Education, Believers of Mystical Groups.

INTRODUCTION

Religion is a matter of belief that is believed to bring benefit and happiness in this world and the hereafter. Problems related to religion sometimes cause conflict between religions. Especially if the religion compared to other religions is mainly related to the issue of beliefs. Because religion has become the blood and flesh in the body and soul firmly attached to their lives, this condition proves that the side always sides religion and culture in people's lives because the community and carrying out all religious orders also participate in keeping the culture to be maintained (Joshnanloo, 2013).

There is also another relationship, namely maintaining the order of life. It means that religious relations in life, combined with culture and society, will form a harmonious life because they have a close relationship.

Nowadays, the traditional religion or folk religion or the Constitutional Court decision called Believers of Mystical Groups is still alive and thriving. Folk Religion or Traditional Religion or Believers of Mystical Groups is a way of religion based on tradition. This follows how the religious progenitor, ancestors, or people of the previous generation were generally

strong in religion, challenging to accept new religious things or renewal. Folk Religion or Traditional Religion or Believers of Mystical Groups is in its development today by the Constitutional Court based on the Constitutional Court Number 97/PUU-XIV/2016 (Somawijaya & Ramdan, 2019).

The mandate of the second amendment to the 1945 Constitution of the Republic of Indonesia, especially Article 28E paragraph (1) and paragraph (2), also reflects the fundamental values of the belief in the One and Only God in a more detailed form of freedom to embrace religion and carry out worship according to their respective religions and beliefs (Sumarto, 2017). Not only the right to freedom of religion/belief is also enshrined in Article 29 paragraph (1) of the 1945 Constitution, which states that *"The State is based on the belief in the One and Only God."* The next verse states that *"The State guarantees the freedom of each citizen embrace their religion and to worship according to their religion/beliefs."* The consequences of guarantees in the constitution, strengthening citizens' constitutional right to carry out religious teachings, beliefs, and worship rituals have become a constitutional right (Rumadi, 2018).

If viewed constitutionally, then there should be no more practice of discrimination on any basis against those who come from members of the Believers of Mystical Groups in Indonesia. However, in reality, it is not so. The issue of protection against members of the Believers of Mystical Groups is still homework for the State, especially related to discrimination in education.

The fulfillment of the right to education for believers of Mystical Groups learners is one of many homework related to the restoration of Believers of Mystical Groups' rights. The release of Regulation of the Ministry of Education and Culture Number 27 of 2016 on Belief Education Services marks a new stage of state recognition of Believers of Mystical Groups in Indonesia and a legal force to fulfill the right to education for believers. This Regulation complements several other forms of recognition, such as the Constitutional Court Number 97/PUU-XIV/2016 related to the religion column in the Identity Card for Mystical Groups' Believers.

In 2014, the Center for Religious and Cross-cultural Studies (CRCS) released a report titled *The Politics of Religious Education in the 2013 Curriculum and School Public Spaces*. This report mentions the problem of the unavailability of Belief education for students of the believers. Therefore, students are forced to follow one of the six religions available in the Basic Data of Education system (Sukirno & Adhim, 2020).

In 2016, the National Commission on Violence Against Women released a report monitoring the struggles of women Believers of Mystical Groups, Adherents of Ancestral Religions and Indigenous Ritual Executors in the face of institutionalization of intolerance, violence, and religious-based discrimination. In this report, a woman's believers tell how her children who are still in grade 2 at elementary school cannot fill in the school's religious questions because it is different from the family's beliefs. In the same year, a student at The State Vocational School 7 Semarang was unable to move up the class because of her lack of religious values. This believers' student wrote Islam's written test but refused to take a practical exam because of her beliefs.

According to national policy, schools do not provide religious subjects other than the six recognized religions. The cases highlighted in the above reports triggered a strong reaction from many to protest the State's failure to respect, protect, and fulfill the right to freedom of religion and belief in educational institutions.

Responding to these cases, the Ministry of Education and Culture issued Regulation of the Ministry of Education and Culture Number 27 of 2016 on Belief Education Services, which

in its contingency states that believers get the service of Belief Education to The One Almighty God by the rights of learners by upholding human rights. Following up on the Regulation, the Noble Assembly of Beliefs in The One Almighty God of Indonesia (MLKI), as the institution appointed to prepare the module, has completed four modules consisting of four themes: God's Oneness, Ethics, History, and Dignity of Belief. From the above problems, this research aims to find out and analyze the fulfillment of the right to equitable education for Believers of Mystical Groups in Indonesia.

MATERIALS AND METHODS

This article uses qualitative research methods with an empirical juridical approach based on the objectives to be achieved in this research. Empirical juridical research is legal research on the enforcement or implementation of normative legal provisions in action at any particular legal event in society through a normative juridical approach. The law is not seen as a rule or rules only. However, it covers how the law works in society and how it interacts with the legal environment (Adabi & Din, 2019).

Empirical juridical research uses secondary data as its initial data. The secondary data in question consists of primary legal and secondary legal materials (Yusa et al., 2017). The primary legal materials in this study are the 1945 Constitution of the Republic of Indonesia, Law Number 20 of 2003 on the National Education System, Regulation of the Ministry of Education and Culture Number 27 of 2016 on Belief Education Services, and the Decision of the Constitutional Court Number 97/PUU-XIV/2016. This study's secondary legal material comes from research, books, journals, and other sources that correspond to this study's title. The secondary data used in this study were collected through literature studies. After the secondary data is collected, the primary data collection is carried out to research legislation conducted through interviews with selected informants. All data collected will then be analyzed qualitatively and displayed in the descriptive form to describe the research results to conclude this research

RESULTS

Recognition of the Constitutional Rights of Believers of Mystical Groups

The Constitutional Court judges stated that Believers of Mystical Groups' status could be included in the religious column on the Family Card and Electronic Identity Card without detailing the flow of beliefs adopted. It is necessary to realize the population's orderly administration, considering the number of Believers of Mystical Groups in Indonesian society is very large and diverse (Kharlie & Fathudin, 2018). The Constitutional Court conveyed it in a material test ruling related to the rules of emptying religious columns on Family Cards and Identity Cards. It is stipulated in Article 61 Paragraphs (1) and (2) and Article 64 Paragraphs (1) and (5) of Law Number 23 of 2006 juncto Law Number 24 of 2013 concerning Amendment to Law Number 23 of 2006 concerning Population Administration. According to the Constitutional Court, to guarantee the constitutional rights of the applicants, the word "religion" in Article 61 Paragraph (1) and Article 64 Paragraph (1) of the Population Administration Law must include Believers of Mystical Groups. Differences in arrangements between citizens regarding the inclusion of population data elements are not based on constitutional reasons. The arrangement

has been treated differently against Citizens of Believers of Mystical Groups and religious citizens recognized by law in accessing public services. Therefore, the Constitutional Court ruled that the word “*religion*” in Article 61 Paragraph (1) and Article 64 Paragraph (1) of the Population Administration Law is contrary to the 1945 Constitution of the Republic of Indonesia and has no conditionally binding legal force as long as it does not include believers.

The definition of Believers of Mystical Groups is often equated with the notion of folk religion (or local religion, regional religion) is a term used in religious and folkloristic studies to describe various forms and applications of religions that are considered different from organized religious doctrines and practices. Folk religion has different definitions, according to scholars. Sometimes it is also called traditional belief, which contains the local tradition of an ethnic or regional under a particular religion, but outside the official doctrine and practice of the religion (Davies, 2017).

Traditional Chinese beliefs, traditional Christianity, traditional Hinduism, and traditional Islam are examples of many adherents' folk religions. The term is also used mostly for the clergy of the belief to describe the desire of a person who rarely attends worship, does not become a church congregation or other religious community, and does not carry out a confession of faith against a particular belief, but wants to hold a religious wedding or funeral, or wants to baptize their child (especially for Christians).

Indonesia is a country consisting of ethnic groups of different tribes in each region. According to Heryanti, who divided the Archipelago people into several classifications of customary areas in 19 customary legal environments (Adat Rechtskringen). According to Heryanti, based on the 19 customary legal environments, it has different customs and cultural characteristics. For example, between Acehnese and Javanese, people have cultural differences and customs (Heryanti et al., 2020). Aside from customs and culture, each indigenous community in the customary law environment has differences in its people's religiosity. Some indigenous peoples adhere to religions such as Islam, Hinduism, Buddhism, Christianity, and some people still believe in the religion of ancestors or local beliefs of the community. Indonesia has since become a country that can be categorized as a country with civil society. According to Jimly Asshiddiqie, that the characteristics of civil society can be formulated in 4 elements, namely: Civil society is a free and open public space in society, namely between the State and family; The society is compound but tolerant, prioritize equality and interconnectedness; Its society is based on the principle of individual autonomy and freedom of expression and organization; and Social interaction takes place equitably and regularly by upholding the values and norms of law, ethics, a religion that are functional in the life of practice (Asshiddiqie, 2006).

In addition to the majority religion, it turns out that there are still Indonesian people who adhere to the ancestral religion or so-called local religion. It also shows that Indonesian society comprises various people's diversity that became the basis for forming the state motto *Bhineka Tunggal Ika* (Unity in Diversity).

The Local Religion of the Archipelago is a belief system that is embraced, imagined, and run hereditarily by the people of the Archipelago long before entering the religions that came later. Local beliefs called the Archipelago people's original religion is a system of original spirituality that does not mix with other religions that came to the Archipelago later. Based on the fact, that sociologically, that the concept of native religion is a reality that exists and found during the Archipelago community to believe in God through the traditional procedures of the

local culture of indigenous peoples of the Archipelago that were embraced for generations long before the majority religions entered the Archipelago.

According to Bagir, Local Believers of Mystical Groups can be categorized into two large groups: The group identified by Proto Malay, namely the original religions that continue to this day and without being influenced by outside religions that come. They were later referred to as alienated tribes. The group identified by the Malay Deutro group, the Believers of Mystical Groups, is engaged in a vortex of predominantly immigrant religions, especially those in Java. Despite external influences, the locality is maintained by disguise or syncretic as a self-defense mechanism.

In general, Indonesian society recognizes that most of the six religions recognized in Indonesia, such as Islam, Catholicism, Protestantism, Hinduism, Buddhism, and Confucianism, expressly state that the six religions are official religions recognized in Indonesia (Bagir et al., 2020).

The status of recognition of the six religions is obtained from the explanation of Article 1 of Presidential Decree Number 1 of 1965 concerning the Prevention of Abuse and Blasphemy, which reads: "The religions embraced by the population in Indonesia are Islam, Christianity, Catholicism, Hinduism, Buddhism and Khong Hu Cu (Confucius). This can be proven in the history of the development of religions in Indonesia (Alfitri, 2018).

Based on the historical fact that most Indonesian citizens embrace six religions (Islam, Hinduism, Buddhism, Catholic Christianity, Protestant Christianity, and Confucianism) that have proliferated among Indonesian society. Based on the 1945 Constitution as the highest law of Indonesia, the right to freedom of religion and belief in God is guaranteed by the State as stipulated in Article 29 paragraph 2 of the 1945 Constitution (Künkler, 2017).

There are local belief groups outside the religious community based on Presidential Decree Number 1 of 1965. The Indonesian government's legal politics through Presidential Decree Number 1 of 1965 has an impact on local believers who are considered non-religious to guide healthy views and towards the One and Only God. After the Reformation, the Government of Indonesia based on the Regulation with the Ministry of Home Affairs and Culture and Ministry of Culture and Tourism Number 41/43 of 2009 concerning Guidelines for Service to Believers of Mystical Groups against The One Almighty God explained that Believers of Mystical Groups is a statement and implementation of personal relationships with The One Almighty God based on beliefs manifested by the behavior of piety and worship of The One Almighty God and the practice of noble nature whose teachings are derived from the local wisdom of the Indonesian nation.

Local Believers of Mystical Groups are part of Indonesian citizens who have constitutional rights as citizens who believe in other majority religions' beliefs. Therefore, the Government of Indonesia must provide protection and fulfillment of the community's constitutional rights by the values of Pancasila (Five Principles of the Indonesian State) and the 1945 Constitution and other existing legal norms (Ropi, 2017).

However, in reality, the State distinguishes each citizen's rights and is inclusively granted to a particular group of citizens. After the Reformation of Indonesia, the Government of Indonesia implemented the citizenship system with a particular paradox. On the one hand, writing new laws and regulations have expanded the rights of citizens. However, on the other hand, citizens' ability to truly realize their rights has not increased even decreased in some areas. For example, the birth of the Press Law, the Labor Law, the Citizenship Law, the Freedom of

Information Law, the Social Security and Health Services Law, the Legal Aid Law and the Population Administration Law, and the Electoral Law have substantially strengthened the power of citizens when dealing with state authorities.

On the other hand, citizens are often unable to realize their rights even if they are substantially regulated in the law. Political connections and the interests of capital-owning groups and political elites have created gaps between laws and government policies that ultimately lead to a weakening of the law's supremacy. People as citizens will not be equal in practice in realizing their constitutional rights as Indonesian citizens.

In Indonesia, social identities such as religion and ethnicity shape how Indonesian citizens and citizens relate. The idea of a "*traditional community*" has become a pillar (saka guru) of political rhetoric, and the way citizens' rights are claimed is formulated. Land claims, political struggles in elections, legal protections, and employment issues are always identified with specific communities' ethnicities and religions. That is the trigger for conflict in the middle of Indonesian society. Racial, ethnic, and religious discrimination became the political elites' material and tool to gain state power and ultimately victimized people.

Obstacles Faced in the Implementation of Constitutional Rights for Believers of Mystical Groups in Indonesia

They are animating diversity based on data from the Directorate of Belief in The One Almighty God Ministry of Education and Culture, 187 groups of Believers of Mystical Groups recorded by the government. Meanwhile, Ugamu Malim residents are estimated at 5,555 people spread across Sumatra, Kalimantan, and Java (Situmorang, 2017). Deputy-Secretary General of the Alliance of Indigenous Peoples of the Archipelago, Mina Susana Setra assessed that the act of discrimination of rights experienced by thousands of Believers of Mystical Groups had been a form of neglect of the value of diversity. The fundamental rights of citizens of Believers of Mystical Groups themselves have been recognized in the United Nations Declaration on the Rights of Indigenous Peoples in 1994 and the State's constitution. "*All this time, we have been ignoring the question of diversity because it ignores the rights of Believers of Mystical Groups,*" Mina said during the discussion. If viewed more closely, Mina said traditional beliefs or ancestral religions contain various life values as assets of the Indonesian nation's cultural wealth. Ancestral religions generally talk about the relationship between humans and God and the human relationship with the surrounding nature.

Local Believers of Mystical Groups are part of Indonesian citizens who have constitutional rights as citizens who believe in other majority religions' beliefs. Therefore, the Government of Indonesia must provide protection and fulfillment of the community's constitutional rights by the values of Pancasila (Five Principles of the Indonesian State) and the 1945 Constitution, and other existing legal norms. However, in reality, the State distinguishes each citizen's rights and is inclusively granted to a particular group of citizens. After the Reformation of Indonesia, the Government of Indonesia implemented the citizenship system with a certain paradox. On the one hand, writing new laws and regulations have expanded the rights of citizens. However, on the other hand, citizens' ability to truly realize their rights has not increased even decreased in some areas. For example, the birth of the Press Law, the Labor Law, the Citizenship Law, the Freedom of Information Law, the Social Security and Health services Law, the Legal Aid Law and the Population Administration Law, and the Electoral Law have

substantially strengthened the power of citizens when dealing with state authorities (Syaputra & Nasution, 2019).

On the other hand, citizens are often unable to realize their rights even if they are substantially regulated in the law. Political connections and the interests of capital-owning groups and political elites have created gaps between laws and government policies that ultimately lead to a weakening of the law's supremacy. People as citizens will not be equal in practice in realizing their constitutional rights as Indonesian citizens.

The government is also considered to have not paid attention to the fulfillment of Believers of Mystical Groups' human rights. It shows the lack of compliance with existing legal mechanisms and the substance of human rights in the law.

According to him, there are three types of obstacles that need to be discussed further: philosophical barriers, juridical barriers, and sociological barriers. Philosophical barriers relate to the meaning of the term belief. Juridical barriers relate to the legal system that precludes the acquisition of Believers' civil rights of Mystical Groups. At the same time, sociological barriers refer to the rejection of other community groups against Believers of Mystical Groups.

Rule alignment is necessary for Believers of Mystical Groups, both in education, socio-political, legal, and economic fields. The government can engage experts in various fields who understand implementing the Constitutional Court ruling comprehensively and holistically. The government can implement a constitutional court ruling on public services that have been long overdue, such as identity writing in government files by writing down religion or beliefs according to the individual who practices it. Therefore, the Constitutional Court's decision can eliminate discrimination and stigmatization in the name of differences of belief or religion, with the decision of the Constitutional Court, the State must ensure the fulfillment of the fundamental rights of citizens Believers of Mystical Groups because the implementation of the Constitutional Court Decision at the Regional Level is not necessarily the same as at the Central Level. "The most important thing is the follow-up to the Constitutional Court Decision. Often regulators make regulations that contradict Constitutional Court Decisions. The government must communicate the fulfillment of Believers of Mystical Groups' rights in the context of public services at all levels, from the center to the region, in public services. Government institutions such as the Civil Registration and Population Office, the Indonesian Police Institution, and the Courts must understand the Constitutional Court's decision. As an example of a discriminatory act experienced by a Believers Sundanese Wiwitan while dealing in court. The judge presiding over the trial did not take the oath first when the city was about to testify because his/her beliefs were not included in the six religions recognized by the State. Taking the oath becomes one element so that testimony in court can be considered valid. The Constitutional Court's decision is good and must be echoed continuously about the citizens' rights (Tibaka & Rosdian, 2018).

The Ministry of Home Affairs accommodated the Indonesian Ulema Council's proposal to create a special Electronic Identity Card for Mystical Groups' Believers. No changes or replacement of Electronic Identity Card are made for religious and already have an Electronic Identity Card. As for Believers of Mystical Groups, the Electronic Identity Card will be considered to be listed as a column of belief without any religious columns. "*We absorb the aspirations of religious leaders separated between religion and the flow of belief,*" said the Ministry of Home Affairs, at the Office of the Ministry of Home Affairs, Jakarta. "*Technically we will apply. Whether religion is a two-point, under which the belief flows, or is separated from different blank,*" Director-General of Population Administration and Civil Registration, Ministry

of Home Affairs, Zudan Arif Fakhrullah said that there would be two Electronic Identity Cards for religious people and Believers of Mystical Groups. For religious people on the Electronic Identity Card will be written "*Religion: with religious information.*" Believers of Mystical Groups will be written, "*Belief: Belief in The One Almighty God,*" without being listed what beliefs are embraced. "*There is one blank, the pouring becomes two models. The blank is the same, two models make the application, so it gives birth to two Electronic Identity Cards,*". The format is proposed by many circles, so the Ministry of Home Affairs only accommodates the proposal. Although in the end, the final decision is in the hands of President Joko Widodo. Added that Believers of Mystical Groups do not need to re-record, update their population data at the Office of Population and Civil Records, respectively, to get a new Electronic Identity Card.

The Association of Churches in Indonesia agreed with the Indonesian Ulema Council's stance that encouraged the government to immediately fulfill Believers of Mystical Groups' civil rights after the Constitutional Court's decision. In its decision, the Constitutional Court declared Believers of Mystical Groups' status to be included in Family Cards and Electronic Identity Cards without detailing the flow of beliefs held. Thus, Believers of Mystical Groups have the same legal standing as the adherents of six religions that the government has recognized in obtaining rights related to population administration. "We from the Indonesian Fellowship of Churches have been fighting for the fulfillment of civil rights of all citizens, whatever their religion and beliefs. The Association of Indonesian Churches strongly welcomes the Constitutional Court Decision on the inclusion of Believers of Mystical Groups or adherents of local religions in Indonesia because only then everyone is treated equally. After the Constitutional Court decision, the government, especially the Directorate General of Population and Civil Registration of the Ministry of Home Affairs, must immediately make technical provisions in implementing the Constitutional Court's decision. According to the Association of Indonesian Churches, the provision of inclusion of Believers of Mystical Groups of the Ministry of Home Affairs is essential to be published as a guideline for local governments to fulfill civil rights. Technically, that has to be thought through. However, that principle of the State should serve all civil registries for all citizens. However, the Association of Indonesian Churches has a different view regarding the Indonesian Ulema Council's proposal on Electronic Identity Cards specifically for Believers of Mystical Groups. The Indonesian Ulema Council proposes that the Electronic Identity Card is listed in the belief column without any religious columns.

Chairman of the Law and Legislation of the Indonesian Ulema Council, Basri Bermenda said, the implementation of citizens' civil rights services should not be different, including for citizens Believers of Mystical Groups. Accordingly civil rights fulfillment is part of human rights that the government must guarantee fulfillment. The Indonesian Ulema Council agrees that the implementation of civil rights services of citizens in law and government should be no difference and discrimination as long as it is by the provisions of the legislation. Related to this, the Indonesian Ulema Council encouraged the government to fulfill Believers of Mystical Groups' civil rights after the Constitutional Court decides to include a trust column in the Electronic Identity Card. Indonesian Ulema Council proposes a Special Electronic Identity Card for Believers of Mystical Groups. The government must immediately realize the Constitutional Court's decision against the citizens of Believers of Mystical Groups. He emphasized that Believers of Mystical Groups also own the right to have an Identity Card as part of Indonesian citizens. The creation of Electronic Identity Cards for Believers of Mystical Groups should be realized immediately to fulfil the rights of citizens who fall into the category of Believers of

Mystical Groups. The Indonesian Ulema Council respects the differences in every citizen's religion, beliefs, and beliefs because it implements human rights protected by the State by applicable laws and regulations. The Indonesian Ulema Council also proposed that the government create an Electronic Identity Card specifically for Believers of Mystical Groups. On the Electronic Identity Card is listed as a column of belief without any religious columns. Meanwhile, those who already have an Electronic Identity Card, there is no change or replacement of Electronic Identity Card. The Indonesian Ulema Council proposes to the government that Believers of Mystical Groups be given an Electronic Identity Card that lists the belief column without any religious columns.

The National Commission on Violence Against Women requested that the State should continue to socialise the breakthroughs that have been carried out follow-up measures, among others: Improvement of legal products and policies in order to seriously uphold the right to freedom of religion/belief and free from all forms of violence and discrimination; Development of mechanisms to oversee the implementation of non-discrimination principles, including on the basis of beliefs and gender, in preventing, addressing and ensuring the recurrence of violence and discrimination, including on the basis of beliefs and gender, in every aspect and institution of government and law enforcement; Initiating and implementing mechanisms and surveillance devices on the attitude of government officials, public officials and law enforcement to ensure the implementation of non-discrimination principles; Stop impunity of perpetrators of violence and discrimination based on beliefs, including against non-state actors; Reforming bureaucracy, including the Ministry of Religious Affairs, to break the institutionalisation of discrimination against Believers of Mystical Groups/adherents of Ancestral Religions; Integrating respect for religious diversity/beliefs in the national education curriculum and public education to develop a love of Indonesian diversity; and Cooperation with victim communities and civil society who have been steadfastly striving for the fulfillment of the constitutional rights of citizens of minority belief communities.

DISCUSSION

Islam sees equitable education as one of the main focuses of developing people's potential to become an obligation for Muslims, men, and women. In one of the hadiths, Prophet Muhammad SAW advocated or even obliged that parents be equitable in educating children. In connection with that, the word "*equitable*" was repeated by the Prophet Muhammad saw up to three times, because at that time, the social and cultural structure of Arab society was very discriminatory against women (Bensaid & Grine, 2014).

Indonesia, as a Muslim-majority country in practice, is far from reality. The marginalization of marginalized groups, such as those who are members of a Believers of Mystical Groups. Groups that the inequitable social system has marginalized should be drawn to the center of power, information, and economic resources through excellent and affordable education. Suppose the cost of education, especially in public schools, is prohibitive, and the system is also inequitable. In that case, the Believers of Mystical Groups is challenging, so the education itself further widens the gap of injustice between the able and the poor or the majority and minorities while worsening the previously marginalized.

The Ministry of Education and Culture's attitude to supervise and evaluate the implementation of countermeasures by schools and local governments must be taken seriously.

Although the Ministry of Education and Culture has already implemented the emergence of similar cases, it must still be anticipated. Because students' character formation can be polarized because of the environment's influence outside the school, parents and families' role is influential in shaping the child's personality.

The blurry portrait of Indonesian education should be an evaluation material for future education practitioners. In-Law Number 20 of 2003 on the National Education System, it is stipulated that national education aims to realize Indonesian people who believe and piety and develop optimal self-potential. Paradigmatically this goal should have been embedded in Indonesian educators, significantly strengthening the foundation of a religion as the primary foundation for giving birth to students who believe and piety. The noble output should be incredibly realized so as not to deviate from the ideal achievement.

It is also undeniable that parents and families play an essential role in providing quality time for their children. No wonder there is a poem saying 'al-ummu madrosatul ula,' a mother is the first school, who else if not for her children. Home is a third of the environment that affects children's character, school environment, and playground. One way is to conduct a Parenting Program by teachers so that the educational achievements that have been taken in schools can be aligned with the home environment as the ideal educational objective.

Mutual control needs to be grown outside the school while the community environment will be a lifelong educational process. Improving family care patterns is essential. Because many families today that were initially extended families tend towards nuclear families. This includes choosing the right community environment for children because today's religious and traditional values tend to turn into a modern permissive society. Sometimes parents are less observant to fortify children from cultural acculturation that is not in line with ideal educational goals.

The transformation of education to instill social and religious moral ethics is what children need in a disruptive era like today, where an era with a constant, rapid, and unpredictable flow of change. Government Regulation Number 87 of 2017 on Strengthening Character Education is not considered adequate to be realized. Therefore, giving more care to students is the top priority in overcoming today's millennial children's psychological turmoil.

Teaching attitudes and demanding knowledge to be formed in students is not easy; it takes discipline and awareness of the heart that begins from a role model, namely a teacher. The best teachers can provide a Great Learning Experience for their students, not enough to learn just because they are chasing each class's curriculum target. Teachers should provide a balanced portion of education for their three student environments: school, home, and playground.

About the fulfillment of equitable education for members of the Believers of Mystical Groups, it can refer to the target set in the World Forum on Education for All, in Dakar in 2000, that by 2015 all children, especially girls, children in difficult circumstances and those who belong to ethnic minorities, have access to and complete free and compulsory primary education with good quality. Achieved a 50% improvement in adult illiteracy rates by 2015, especially for women, and equitable access to primary education and continuing education for all adults. The elimination of the gender gap in primary education and preventing 2015 and achieving gender equality in education in 2015 focused on girls' full certainty in obtaining a quality primary education.

Regulation of the Ministry of Education and Culture Number 27 of 2016 concerning The Service of Belief in The One Almighty God in the Education Unit gives new hope for members of Believers of Mystical Groups, especially in the world of education. This Regulation is

motivated by the reason that Believers of Mystical Groups learners to The One Almighty God are entitled to educational services belief in The One Almighty God by the rights of learners by upholding human rights. The legal basis of this Regulation of the Ministry of Education and Culture is Law Number 20 of 2003 on the National Education System and Regulation of the Ministry of Education and Culture Number 77 of 2013 concerning Guidelines for The Development of Institutions of Belief in The One Almighty God and Customary Institutions.

The main policy issue in this Regulation of the Ministry of Education and Culture is that this ministerial Regulation regulates students fulfilling religious education through belief education by following the provisions of legislation governing the curriculum. Belief education content must have necessary competencies, syllabuses, lesson implementation plans, textbooks, and educators. This competence and the basic competence are referred to by the Noble Assembly of Beliefs, The One Almighty God of Indonesia, and submitted to the ministry. The government, local government, and education unit can cooperate with the Organization of Believers of Mystical Groups against The One Almighty God registered by the laws and regulations in the provision of belief education. Educators provide belief education lessons by teaching students' beliefs by the provisions of the law in Indonesia.

However, this Regulation of the Ministry of Education and Culture also did not escape controversy. For example, as Chairman of the Presidium of the Noble Assembly of Believers of Mystical Groups against The One Almighty God, this Regulation has not been applicable. The rational reason is there are still Believers of Mystical Groups that do not organize, because according to Article 3 of this Regulation of the Ministry of Education and Culture that the government attempts the material to be given in the teaching unit of belief education in cooperation with the Organization of Belief in The One Almighty God who has been registered by the legislation (World Bank, 2002).

This provision raises two issues. First, what about the groups of believers who decide as part of their beliefs, not formally organized? Is not the decision of organizing or not is part of the union rights that are fully guaranteed by Article 28 E paragraph (3) of the 1945 Constitution. So what is the fate of those who choose not to organize? This issue is an administrative perspective on the believer that will continue to burden various other government measures. The second problem is how to develop the curriculum material of belief in The One Almighty God in an education unit that can include the diversity of life groups scattered throughout the Archipelago?

These issues should become legal material in the renewal of regulations related to the government's efforts in realizing equitable education for members of Believers of Mystical Groups in the future. Given the law's political concept about how the law will be applied or not, everything is the government's choice.

Therefore, in creating legislation, as is the concept of participatory justice must involve the active participation of all groups affected by the Regulation. Such active participation must pay attention to the freedom of speech and express opinions independently, because thus every group, both minority, and majority, can influence the content of the rules to be created so that the Regulation is by its needs and interests and will ultimately create equitable regulations as well.

As Satjipto Rahardjo said, the law is a matter of realizing humans' interests of humans themselves (Al-Amruzi et al., 2020). In the matter of realizing the right to equitable education for members of Believers of Mystical Groups, the government should be more careful and always guided to the values of Pancasila (Five Principles of the Indonesian State), especially in the 2nd principle, namely just and civilized humanity and the 5th principle on social justice for all

Indonesian people. Furthermore, both principles are contained in the preamble current Indonesian constitution. The purpose of the State is to promote the general welfare and protect the entire nation of Indonesia and the entire spilled blood of Indonesia, which Believers of Mystical Groups also fall into that category.

CONCLUSION

The definition of Believers of Mystical Groups is often equated with the notion of folk religion (or local religion, regional religion) is a term used in religious and folkloristic studies to describe various forms and applications of religions that are considered different from organized religious doctrines and practices. Folk religions have different definitions, according to scholars. Sometimes it is also called traditional belief, which contains the local tradition of an ethnic or regional under a particular religion, but outside the official doctrine and practice of the religion. On the other hand, citizens are often unable to realize their rights even if they are substantially regulated in the law. Political connections and the interests of capital-owning groups and political elites have created gaps between laws and government policies that ultimately lead to a weakening of the law's supremacy. People as citizens will not be equal in realizing their constitutional rights as Indonesian citizens, especially to realize an equitable education system. The government is also considered to have not paid attention to the fulfillment of Believers of Mystical Groups' human rights. It shows the lack of compliance with existing legal mechanisms and the substance of human rights in the law. There are three types of obstacles that need to be discussed further: philosophical barriers, juridical barriers, and sociological barriers.

Philosophical barriers relate to the meaning of the term belief. Juridical barriers relate to the legal system that precludes the acquisition of civil rights of Believers of Mystical groups. At the same time, sociological barriers refer to the rejection of other community groups against Believers of Mystical Groups. Regulation of the Ministry of Education and Culture Number 27 of 2016 concerning The Service of Belief in The One Almighty God in the Education Unit gives new hope for members of Believers of Mystical Groups, especially in the world of education. However, this Regulation of the Ministry of Education and Culture also did not escape controversy and is difficult to implement. Therefore, in creating legislation, as is the concept of participatory justice must involve the active participation of all groups affected by the Regulation as Satjipto Rahardjo said that the law is a matter of realising humans' interests themselves. In the matter of challenging the right to equitable education for members of Believers of Mystical groups, the government should be more careful and always guided to the values of Pancasila (Five Princ. Ases of the Indonesian Statspecially in the 2nd realizing namely just and civilized humanity and the 5th principle on social justice for all Indonesians.

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