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WHEN INTEGRATIVE LAW MEETS PERFORMANCE SYSTEM: THE ROLE OF EDUCATION ON POVERTY ALLEVIATION IN INDONESIA

Elvrida N. Sinaga

North Sumatera Education Office, Medan, North Sumatera, Indonesia. Email: sinagaelvridan@gmail.com

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Abstract

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The target of the Government of Indonesia to eradicate poverty by 2024 (faster than the 2030 Agenda of all members of the United Nations), faces formidable challenges. The challenges include that the Indonesian economy is quite vulnerable to shocks such as a pandemic, an increase in the number of poor people, and the expansion of the definition of poverty in Indonesia according to the World Bank has the potential to increase the number of poor people from 26.36 million people to 44 million people. Based on the normative method using integrative legal theory, this study yields two conclusions. Firstly, the critical role of education in addressing poverty is based on educational law as a means of bureaucratic and societal renewal, which is briefly presented in the existing SWOT matrix. **Secondly**, educational law dealing with extreme poverty is based on bureaucratic engineering through the norm and behavioral systems, while societal engineering is based on value systems. It is recommended to renew regulations on the performance of educational organizations based on poverty alleviation, and to promote values such as excellent bureaucratic services, active community participation in and around schools and universities, the autonomy and independence of school committees in reducing the financial burden of extreme poverty groups, the improvement of income for extreme poverty groups, and the reduction of poverty pockets, based on the SWOT matrix that is expected to become the Key Performance Indicator for educational departments, schools, and school committees.

A. INTRODUCTION

The eradication of poverty in all its forms and dimensions, including extreme poverty, is the first Sustainable Development Goal (SDG) among the 17 goals set by the United Nations. The 17 Sustainable Development Goals (SDGs), including "End poverty in all its forms everywhere," are part of the 2030 Agenda for Sustainable Development adopted by all United Nations Member States in 2015. In essence, the 17 SDGs aim to end poverty and other deprivations by promoting health and education, reducing inequalities, and fostering

¹ United Nations, a, 'Poverty eradication', https://sdgs.un.org/topics/poverty-eradication accessed 22 May 2023.

economic growth, while addressing climate change and working towards preserving oceans and forests.²

President of the Republic of Indonesia, Joko Widodo, in a limited meeting with several ministers on November 18, 2021, at the Presidential Palace in Jakarta, stated that the government aims to achieve 0% extreme poverty in Indonesia by 2024.³ Indonesia's government target to eradicate poverty by 2024 is much faster than the 2030 Agenda of all United Nations members, which has sparked various opinions and criticisms.

Maliki, from the National Development Planning Agency, explains that the government's challenge to eliminate extreme poverty by 2024 is quite heavy, especially in Java, where Indonesia's economy is susceptible to shocks such as pandemics.⁴ Furthermore, data from the Central Statistics Agency (BPS) reported an increase in the number of poor people in Indonesia in the period from September 2022, with an increase of 200,000 individuals to 26.36 million individuals, compared to March 2022.5 Even when using the poverty line calculation model based on Purchasing Power Parity (PPP) by the World Bank, there is concern about an increase in the number of Indonesians falling into the poverty category.⁶ Ninasapti Triaswati, an economist from the University of Indonesia, mentioned that the Indonesian government uses the poverty line reference from BPS, resulting in lower numbers. In contrast, the World Bank uses PPP to compare poverty rates across countries, potentially yielding higher poverty rates in Indonesia.⁷ The calculation of poverty by BPS is considered irrelevant in the current context as it has been applied since 1998, has yet to reach a larger vulnerable population, and has not been accompanied by improved data collection on the population's socioeconomic status.8 The issue of revising the poverty line resurfaced after the World Bank released a report titled "Indonesia Poverty Assessment" in 2023, proposing an expansion of the poverty definition in Indonesia to ensure more people can benefit from government assistance, considering the significant number of vulnerable individuals in Indonesia.⁹ The use of the latest purchasing power parity (PPP) calculates a standard income of \$3.2 per person per day, equivalent to Rp 47,502, an increase from the current reference of extreme poverty, which is \$1.9 per person per day, or around Rp 28,969.10 Consequently, the poverty rate in Indonesia is expected to rise, potentially increasing from 9.57% or 26.36 million people (based on data from the Central Statistics Agency) to 16% or 44 million people (based on the World Bank's latest proposal).¹¹

Several opinions have been put forward as solutions to eradicate poverty in Indonesia. Yudhistira believes that the government must promote the manufacturing industry, especially those weakened due to demand pressures in traditional export markets. Shifting manufactured products to the domestic market, accompanied by restrictions on imported

² United Nations, b, 'The 17 Goals', https://sdgs.un.org/goals accessed 22 May 2023.

³ Presiden RI (2021), 'Pemerintah Targetkan Angka Kemiskinan Ekstrem Nol Persen di Tahun 2024', https://www.presidenri.go.id/siaran-pers/pemerintah-targetkan-angka-kemiskinan-ekstrem-nol-persen-ditahun-2024/ (accessed 22 May 2023).

⁴ CNBC Indonesia (2023 a), 'Jokowi Ingin Kemiskinan Ekstrem 0% di 2024, Bappenas: Berat!', https://www.cnbcindonesia.com/news/20230605090654-8-442911/jokowi-ingin-kemiskinan-ekstrem-0-di-2024-bappenas-berat/ accessed 6 June 2023.

⁵ Bisnis.com (2023 b), 'Ngenes! Penduduk Miskin Naik 200 Ribu Jiwa per September 2022', available at https://ekonomi.bisnis.com/read/20230116/9/1618493/ngenes-penduduk-miskin-naik-200-ribu-jiwa-per-september-2022 (accessed 22 May 2023).

⁶ CNBC Indonesia (2023 b), 'Standar Bank Dunia Berubah, Angka Kemiskinan RI Bertambah?', https://www.cnbcindonesia.com/news/20230510130946-8-436148/standar-bank-dunia-berubah-angka-kemiskinan-ri-bertambah> accessed 6 June 2023.

⁷ Loc.Cit.

⁸ Kompas (2023), 'Sudah Tidak Relevan, Saatnya Garis Kemiskinan Dievaluasi', https://www.kompas.id/baca/ekonomi/2023/05/15/sudah-tidak-relevan-saatnya-garis-kemiskinan-dievaluasi accessed 22 May 2023.

⁹ Loc.Cit.

¹⁰ Loc.Cit.

¹¹ Loc. Cit.

finished goods, would create broader employment opportunities.¹² Teuku Riefky, a macroeconomics and financial market economist from the Institute for Economic and Social Research of the Faculty of Economics and Business at the University of Indonesia (LPEM FEB UI), stated that the government needs to focus on two policies to reduce the extreme poverty rate. The government's target is feasible based on the progress made so far in poverty alleviation, and it is recommended that the government take the following two steps.¹³ First, strengthen social safety nets and improve productivity to ensure the poor and vulnerable can meet their basic needs. Second, enhance productivity and create the necessary jobs for the population, allowing for increased income and ultimately lifting people out of poverty.¹⁴

The solutions proposed are based on economic factors and job creation. However, the success of poverty eradication in Indonesia must fully involve the active participation of all elements of society, including the legal and educational sectors. It aligns with Goal 4 and Goal 16 of the SDGs, which are "Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all"¹⁵ and "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable, and inclusive institutions at all levels"¹⁶. Therefore, a study is needed to address two critical issues. **First**, why is education crucial in addressing extreme poverty in Indonesia? **Second**, what is the ideal legal concept for addressing extreme poverty through the education sector?

Several studies have examined various aspects of poverty, both internationally and nationally. However, this study brings a fresh perspective compared to previous research. Summarized below are the key findings:

- a. Diwakar *et al.*¹⁷ and Mukherjee's¹⁸ studied on farmer poverty in India highlight the detrimental effects of insufficient infrastructure and interconnection networks. These factors contribute to increased poverty in agricultural regions due to limited production, lack of diversification, and low-value crop output. While previous research primarily focused on addressing farmer poverty in India by improving infrastructure and interconnection networks, this study offers a novel approach by developing a legal concept to address extreme poverty by integrating law and education in Indonesia. The aim is to assist the government in achieving the ambitious target of zero percent extreme poverty by 2024 and promote the 2030 Agenda for Sustainable Development.
- b. Wirawan *et al.*'s study concluded that capability deprivation and digital inequality are significant causes of poverty among tobacco farmers in Indonesia.¹⁹ To tackle this issue, it is crucial to provide accessibility and connectivity to tobacco farmers by establishing groups such as cooperatives. Furthermore, strengthening cost-effective technology, adding value to services, ensuring government commitment, and fostering entrepreneurship are essential steps in addressing poverty among tobacco farmers. While previous studies primarily focused on improving accessibility and connectivity for tobacco farmers, this study introduces a novel perspective by highlighting the vital

¹² Bisnis.com (2023 a), 'Tantangan Berat Pemerintah Hapus Kemiskinan Ekstrem pada 2024', https://ekonomi.bisnis.com/read/20230521/9/1657737/tantangan-berat-pemerintah-hapus-kemiskinan-ekstrem-pada-2024> accessed 22 May 2023.

¹³Loc.Cit.

¹⁴ Loc.Cit.

¹⁵ United Nations, c, 'Education', https://sdgs.un.org/topics/education> accessed 22 May 2023.

¹⁶ United Nations, d, 'Goals 16', https://sdgs.un.org/goals/goal16 accessed 22 May 2023.

¹⁷ Michael P. Aurbach, 'Social Theories of Poverty', in Salem Press (Eds.), *Sociology Reference Guide: The Effects of Poverty & The Welfare State* (Salem Press 2011). [41].

¹⁸ Aparajita Mukherjee, 'Evaluation of the Policy of Crop Diversification as a Strategy for Reduction of Rural Poverty in India', in Almas Heshmati, Esfandiar Maasoumi, dan Guanghua Wan (Eds.), *Poverty Reduction Policies and Practices in Developing Asia* (Co-publication of the Asian Development Bank and Springer International Publishing AG 2015). [140].

¹⁹ Aditya Wirawan, E. Warassih and Benny R.P. Sinaga, 'Capability Deprivation Meets the Digital Divide: The Urgency of Accessibility And Connectivity in Alleviating The Poverty Of Tobacco Farmers in Indonesia' (2022) 1 Journal of Tax Law and Policy. [42].

role of education in assisting the government in achieving the zero percent extreme poverty target and promoting SDGs goals 1, 4, and 16.

Wirawan and Sinaga's study revealed that existing regulations in education fund management tend to be repressive and inadequate in preventing corruption.²⁰ Digitalization and significant data regulations in national education must address this issue effectively and efficiently. These measures serve as checks and balances, ensuring the successful implementation of government education policies. The desired outcomes include the targeted use of education funds and achieving inclusive and equitable education quality in Indonesia by 2030.²¹ While this study addresses corruption in the education sector by incorporating technology, it needs a comprehensive legal concept regarding the crucial role of education in poverty eradication in Indonesia.

B. METHODS

To ensure that the two existing problem formulations can be addressed based on valid and realistic methods and sources of knowledge,²² this study appropriately utilizes the normative method, also known as the doctrinal or dogmatic method.²³ This method relies on principles that require compliance, which can be enforced through state power, operates within the realm of obligations, and produces legal doctrines.²⁴

The normative method employs secondary data in the form of primary, secondary, and tertiary legal materials. The primary legal materials used in this study consist of legally established rules and regulations by state institutions and/or government bodies with coercive authority, ²⁵ including the 1945 Constitution of the Republic of Indonesia (UUD NRI Tahun 1945) and relevant legislation. Secondary legal materials assist in analyzing and understanding primary legal materials, such as books, research findings, and scholarly articles. ²⁶ Tertiary legal materials complement the secondary legal materials and include legal dictionaries, indexes, and websites. ²⁷

Review of Integrative Law Literature on Access to Justice and Institutions in the Education Sector

Addressing extreme poverty in Indonesia should involve education and law's Strengths, Weaknesses, Opportunities, and Threats (SWOT). It is in line with the mandate of Article 1 paragraph (3) and Article 31 of the 1945 Constitution of the Republic of Indonesia, which can be interpreted as every Indonesian citizen's right to education, and government expenditure on education,²⁸ and government efforts to advance science and technology for the progress of civilization and the well-being of the people, all of which must be based on the law.

The mandate of the 1945 Constitution of the Republic of Indonesia will face significant challenges due to the interdependence of two factors that hinder the direction of national legal

²⁰ Aditya Wirawan and Elvrida N. Sinaga, 'Digitalization and Big Data in Preventing Corruption in Education Sector: Towards Inclusive and Equitable Education' (2022) 1 Scientium Law Review. [13].

²¹ Loc.Cit.

 $^{^{22}}$ Ryan S. Alam, 'Dimensi Epistemologi dalam Filsafat Ilmu dan Urgensinya' (2022) 1 Philosophy and Paradigm Review. [24].

²³ Bernard Arief Sidharta, (2009), 'Penelitian Hukum Normatif: Analisis Penelitian Filosofikal dan Dogmatikal', in Sulistyowati Irianto and Shidarta (eds.), *Metode Penelitian Hukum: Konstelasi dan Refleksi* (Yayasan Obor Indonesia 2009). [143].

²⁴ Loc.Cit.

²⁵ Soetandyo Wignjosoebroto, *Hukum, Konsep dan Metode* (Setara Press 2020). [81].

²⁶ Suteki and Galang Taufani, *Metodologi Penelitian Hukum (Filsafat, Teori, dan Praktik)* (PT RajaGrafindo Persada 2020). [216].

²⁷ Loc.Cit.

²⁸ Leo B. Barus, 'Innovation Management in Acceptance of New Students in State Senior High Schools in Indonesia' (2022) 1 Journal of Information System and Technology Issues. [19].

development, namely internal and external factors.²⁹ These two factors are interdependent, as no factor is more important than the other. The internal factor refers to the lack of incorporation of legal education into the nation's conscience since independence, resulting in legal experts who are not fully aware of their place except for the "foreign law" they have learned since their university days.³⁰ On the other hand, the external factor refers to the presumption that foreign (Western) law is considered more modern and advanced than the nation's cultural values, as reflected in Pancasila. It reflects the marginalization of Indonesian life's cultural values and philosophy due to the rapid influence of materialistic ideologies in the era of globalization.³¹

In addressing these obstacles to sustainable development, the law must be seen as a system of norms, behavior, and values.³² Failure to view the law as a unified system of these three elements would result in the law's orientation being solely based on substance, structure, and legal culture, which predominantly reflects Western philosophy rather than aligning fully with the values of Pancasila as the pinnacle of moral values in national life.³³ Atmasasmita succinctly explains that if the law only prioritizes "norms and logics," it loses its meaning and significance in the reality of community life if it cannot be realized in the behavior of society and bureaucracy, both of which should adhere to the law.³⁴ Conversely, if the law is only seen as a system of norms and behavior, used merely as a "bureaucratic machine," it will lose its essence if it neglects the value system rooted in Pancasila as the peak of ethical values in national and state life.³⁵ The term "value" refers to something humans possess to consider various ethical and aesthetic issues.³⁶

The unity of these three systems is believed to prevent foreign influences from shaping national law and its implementation in society. It allows for a deeper exploration of the moral and social values of the Indonesian nation, which can be the foundation for law formation through legislation and jurisprudence.³⁷ The integration of these three systems refers to the theory of integrative law, which is essentially a dynamic and active law that adjusts to the changing national and international society with a comprehensive and holistic approach to legal analysis in response to national and international developments.³⁸ Furthermore, the theory of integrative law can be understood as asserting that law serves as both bureaucratic and social engineering. Bureaucratic engineering is achieved through norms and behavior, while social engineering is achieved through the value system.³⁹

The theory of integrative law can be utilized to strengthen the role of the education system in eradicating poverty in Indonesia. Article 1 number 1 of Law Number 20 of 2003 concerning the National Education System (Sisdiknas Law) defines education as a conscious and planned effort to create a conducive learning environment and learning process, enabling students to actively develop their spiritual strength, self-control, personality, intelligence, noble character, and the necessary skills for themselves, society, nation, and state. Article 14 of Sisdiknas Law classifies formal education into primary, secondary, and higher education. Basic education includes elementary schools (SD) and madrasah ibtidaiyah (MI), as well as junior high schools (SMP) and madrasah tsanawiyah (MTs). Secondary education encompasses senior high schools (SMA), madrasah aliyah (MA), vocational high schools

²⁹ Romli Atmasasmita (1), 'Memahami Teori Hukum Integratif' (2012) 3 Legalitas. [3].

 $^{^{30}}$ Loc. Cit.

³¹ *Ibid.*, p. 4.

³² Romli Atmasasmita (2), *Teori Hukum Integratif* (CV Mandar Maju 2019). [78].

³³ Romli Atmasasmita (1), *Op.Cit.* [8].

³⁴ *Ibid*. [11].

³⁵ Loc.Cit.

³⁶ Mohammad Syahrijal and Muh. Bukhari, 'Relations of Philosophy, Religion, and Science' (2022) 1 Philosophy and Paradigm Review. [12].

³⁷ Romli Atmasasmita (1), *Op.Cit.* [1].

³⁸ Romli Atmasasmita (2), *Op.Cit.* [80].

³⁹ *Ibid.* [100].

(SMK), and vocational madrasah aliyah (MAK).⁴⁰ Furthermore, higher education refers to post-secondary education, including diploma, undergraduate, master's, specialist, and doctoral programs offered by higher education institutions. The classification of education in Indonesia corresponds to the implementation of regional autonomy, where primary and equivalent levels of education are managed by the District or City Government Education Office, secondary education and equivalent levels are handled by the Provincial Government Education Office, and higher education and equivalent levels are managed by the Central Government.⁴¹

In addition to school facilities, every primary and secondary education institution has an independent committee that aims to enhance the quality of education services through collaborative, democratic, independent, professional, and accountable efforts.⁴² According to Article 3 of the Minister of Education and Culture Regulation (Permendikbud) Number 75 of 2016, the school committee has four essential tasks. Firstly, they provide input in determining and implementing education policies related to school policies and programs, School Budget and Expenditure Plans/School Work Plans and Budgets (RAPBS/RKAS), School Performance Criteria, criteria for educational facilities at the school, and criteria for school cooperation with other parties. Secondly, they mobilize funds and other educational resources from the community, including individuals, organizations, businesses, industries, and other stakeholders, through creative and innovative efforts. Thirdly, they oversee education services at the school following the provisions of laws and regulations. Lastly, they follow up on complaints, suggestions, criticisms, and aspirations from students, parents/guardians, and the community, as well as the school committee's observations of school performance. Furthermore, Article 13 of Permendikbud No. 75 of 2016 mandates the School Committee to submit reports to parents/guardians of students, the community, and the school principal through regular meetings at least once per semester. These reports should include the School Committee's activities, fundraising results, and the acquisition of educational resources from the community.⁴³

Overview of Poverty

Poverty is a highly normative term because its assessment is based on descriptive components and evaluative and prescriptive aspects related to who should address poverty alleviation.⁴⁴ Poverty is seen as part of the problem of educational development, whose existence is characterized by various perspectives.⁴⁵ Black's Law Dictionary provides two definitions of poverty: 1) the condition of being indigent, the scarcity of the means of subsistence, and 2) the dearth of something desirable.⁴⁶ Sen defines poverty from the perspective of basic human capabilities as follows:

⁴⁰ Elvrida N. Sinaga, 'Anticipation of Educational Systematics Changes During and After the Covid-19 Pandemic: A Governmental Legitimacy' (2022) 1 Scientium Educational Review. [3].

⁴¹ Ryan S. Alam Hurian Kamela, 'Public Teacher Recruitment and Selection in Indonesia: A Legal Perspective' (2022) 1 Scientia Business Law Review. [40-42].

⁴² E. N. Sinaga and H. D. P. Sinaga, 'Business Process Reengineering of School Committee in Indonesia, in *Synergizing Management, Technology and Innovation in Generating Sustainable and Competitive Business Growth* (Routledge, 2021). [84-85].

 $^{^{43}}$ Loc. Cit.

⁴⁴ Valentin Beck, Henning Hahn and R. Lepenies, 'Interdisciplinary Perspectives on Poverty Measurement, Epistemic Injustices and Social Activism', in Valentin Beck, Henning Hahn, and Robert Lepenies (Eds.), *Dimensions of Poverty: Measurement, Epistemic Injusties, Activism* (Springer Nature Switzerland AG 2020). [2-3].

⁴⁵ A. Yahyatullah *et al.*, 'Efektivitas Pengelolaan Zakat dalam Menanggulangi Kemiskinan di Kota Makassar (Studi Lazismu Sul-Sel)' (2023) 2 The Scientia Law and Economics Review. [63].

⁴⁶ Bryan A. Garner, *Black's Law Dictionary*, (S & R Legal Co. 2009). [1288].

"...in analyzing social justice, there is a strong case for judging individual advantage in terms of a person's capabilities, that is, the substantive freedoms he or she enjoys to lead the kind of life he or she has reason to value. In this perspective, poverty must be seen as the deprivation of basic capabilities rather than merely as the lowness of income, which is the standard criterion for identifying poverty. The perspective of capability poverty does not involve any denial of the realistic view that low income is one of the major causes of poverty since lack of income can be a principal reason for a person's capability deprivation".⁴⁷

Furthermore, Shepherd asserted that the core of the chronic poverty problem lies in two main factors: politics and the functioning of institutions.⁴⁸ These two main dimensions are closely related to law, as poverty occurs due to a lack of policy direction or legal or political motivation to bring about change or due to reluctance or limited resources of a country to develop and provide the foundation for progressive, socially cohesive, and growth-oriented legal policies for the greatest prosperity of the people.⁴⁹ In a more comprehensive perspective on institutions and norms as part of the multidimensionality of poverty, Sindzingre concluded that there is a two-step causal process that is direct and involves cognitive phenomena. **Firstly**, institutions and norms determine access and achievement in various dimensions, such as income, human development, and social interaction. **Secondly**, institutions as evolutionary cognitive phenomena play a vital role in the existing causal process.⁵⁰

The relationship between law and the two core dimensions of chronic poverty, namely politics and the functioning of institutions, indicates that poverty alleviation in Indonesia must be carried out by a state institution or institution closely related to the country's policies. It is closely related to power, decision-making, public policy, and allocation or distribution in carrying out specific societal functions.⁵¹ These specific functions are carried out by making binding decisions that affect society, such as determining the state's goals and allocating available resources. These decisions, in the form of regulations known as positive law, are the output of the political system that binds and influences society and, in turn, is influenced by its environment.⁵² It also means that by strengthening the law in poverty alleviation, there is the ability to determine policies in choosing the most appropriate laws for specific communities and formulating regulations to clarify the legislator's intentions.⁵³

A Lessons Learned of Poverty Allevation in China and India

China and India are several countries in Asia that have succeeded in dealing with extreme poverty. In 2021, China declared its success in eradicating extreme poverty by freeing around 770 million of its citizens from poverty since 1978.⁵⁴ Some of the programs are alleviating poverty in villages by meeting the basic needs of rural residents,⁵⁵ increasing income in poverty-stricken areas by increasing macroeconomic growth (through policy reforms in the fields of land, financial, investment, trade, population and social management, leveraging international development assistance, foreign direct investment and expanding

⁴⁷ Amartya Sen, *Development as Freedom* (Alfred A. Knopf, Inc. 2000). [87].

⁴⁸ Andrew Shepherd, 'How do we get to zero on poverty – and stay there?', in Erik Solheim, *Development Co-operation Report 2013: Ending Poverty* (OECD Publishing 2013). [53].

⁴⁹ Loc.Cit.

⁵⁰ Alice Sindzingre, 'The Multidimensionality of Poverty: An Institutionalist Perspective', in Nanak Kakwani and Jacques Silber, *The Many Dimensions of Poverty*, (United Nations Development Programme dan Palgrave Macmillan 2007). [67-68].

⁵¹ Miriam Budiardjo, *Dasar-Dasar Ilmu Politik* (Gramedia Pustaka Utama 2008). [14].

⁵² Bintan Regen Saragih, *Politik Hukum* (CV, Utomo 2006), [22, 30].

⁵³ Astim Riyanto, *Filsafat Hukum* (Penerbit YAPEMDO 2010). [77].

⁵⁴ Antara (2022), https://www.antaranews.com/berita/3196873/indian-express-india-bisa-contoh-china-dalam-mengatasi-kemiskinan#mobile-src accessed 22 May 2023.

⁵⁵ Xiaolin Wang and Zhang Xiaoying, *Towards* 2030 – China's Poverty Alleviation (2020). [7].

international trade),⁵⁶ increasing the production and living conditions (remarkable improvements in infrastructure, public services, and people's lives) in poverty-stricken areas, increasing the educational attainment of the poor (through increasing enrollment in primary and secondary education and reducing dropout rates in poverty-stricken rural areas and guaranteeing women's right to education),⁵⁷ and continue to improve social safety nets in poverty-stricken areas (including subsistence allowances, assistance and support systems for people living in extreme poverty, assistance to victims of natural disasters, assistance in medical care, education, housing and employment, temporary assistance, and guaranteeing the basic living needs of residents who are unable to work).⁵⁸

India has succeeded in improving the poverty situation of its citizens with several programs. Unlike China, which implements a more top-down solution, India applies a bottom-line solution because the problem of poverty cannot be overly generalized and institutionalized.⁵⁹ The Conditional Cash Transfers (CCT) program implemented by India has provided satisfactory results in improving nutrition and the quality of education so that it has assisted the government in solving the problem of poverty.⁶⁰ The success of another educational program approach is the free lunch program for elementary and junior high school students to reduce the burden on the household members.⁶¹

The success of handling extreme poverty carried out by China and India cannot be separated from the involvement of the education sector with conditions that must be adjusted and cannot be generalized. The solutions made by China and India regarding differences in capabilities in society, so that the application is directly to the root of the problem in society, instead of relying on the traditional poverty diagnosis by handling neoliberalism recipes which do not necessarily refer directly to the root problems of poverty.⁶²

Critical Study on the Handling of Extreme Poverty in Indonesia

Several ideas proposed by experts on poverty indicate that poverty is a scarcity of livelihood or a limitation in the well-being of individuals or a community due to the instability of available resources and the deprivation of basic capabilities, which fails to achieve the functions and goals of individuals or specific communities. Undoubtedly, addressing the lack of capabilities as one of the leading causes of poverty should be done through education. guaranteed in the Constitution. Referring to the national education vision, the vision of national education is to establish a system that serves as a respected and robust social institution to empower the entire Indonesian nation. Based on this vision, national education missions are formulated, including (1) providing facilities and assisting in the development of the potential of the nation's children from early childhood to the end of life to achieve a learning society; (2) striving for equal opportunities and access to quality education for all citizens; (3) advancing the accountability and professionalism of every educational institution as a center for the cultivation of skills, attitudes, experiences, values, and knowledge based on national and international standards; (4) empowering community participation in education based on the principles of autonomy within the context of the Unitary State of the Republic of Indonesia (NKRI), and (5) improving the quality of the education process and preparedness to maximize the development of moral character.

⁵⁶ *Ibid*. [10].

⁵⁷ *Ibid*. [12].

⁵⁸ *Ibid*. [13].

⁵⁹ Raissa Ardianti, 'Belajar dari Model India & Cina sebagai Alternatif Solusi Kemiskinan Dunia' (2014) 7 Jurnal Hubungan Internasional. [40].

⁶⁰ Vicy Andriany, Tezi Asmadia and Eka Kharisma, 'Upaya Pengentasan Kemiskinan Melalui Program Keluarga Harapan di Nagari Balimbing', (2021) 1 Jurnal Al-Intifaq. [5].

⁶¹ Fardianto (2022), 'Apa itu Kemiskinan Ekstrem?', https://bappeda.ntbprov.go.id/zoom-meeting-knowledge-sharing-kemiskinan-ekstrem/ accessed 22 May 2023.

⁶² Raissa Ardianti, Op.cit. [40].

The mandate of the 1945 Constitution of the Republic of Indonesia, the vision and missions of national education, and the functions and tasks of the school committee indicate that the education sector should play a significant role in eradicating extreme poverty by 2024. To strengthen and enhance the role of education, it is necessary to understand why poverty eradication poses significant challenges, despite the government's formulation of three primary strategies.⁶³ First, reducing the burden of extreme poverty groups' expenditures. Second, increasing the income of extreme poverty groups. Furthermore, third, reducing pockets of poverty.

These challenges can be simplified by first examining the external and internal environment of education. It was emphasized by Hezarjribi and Bozorgpour⁶⁴ and Sinaga⁶⁵, stating that an analysis of the external environment (including functional descriptions, strategic objectives, culture, and cost structure; market size, predicted growth rates, cost structure, profitability, distribution systems, critical success factors; and the environmental context regarding technology, governance, economy, and culture) will yield insights related to opportunities, threats, trends, and other strategic questions. On the other hand, an analysis of the internal environment (including function analysis, quality, processes, production, functions, and insights; finance, involving decision-making on financing, financial supply, and benefit distribution; new services and sales; and strategy determination) will yield insights related to strengths, weaknesses, problems, limitations, and other strategic questions.

The description of the external and internal environment that presents the eradication of extreme poverty by 2024 as a significant challenge is based on various criticisms. Bhima Yudhistira, an economist and director of the Center of Economic and Law Studies (Celios), stated that the government's target is ambitious, considering the existing challenges, such as the relatively high current poverty rate, the need for more significant funding and refocusing of programs to alleviate poverty, and the government's heavy responsibility to control inflation, primarily due to the threat of El Nino.⁶⁶ So far, food price pressures have hindered the reduction of the number of poor people, and the government must implement various initiatives (from strengthening rice absorption by the logistics agency to increasing fertilizer subsidies) to achieve the poverty reduction target. Consequently, the social protection budget will reach 5% of the Gross Domestic Product (GDP).⁶⁷

Furthermore, Yusuf Rendy Manilet, an economist from the Center of Reform on Economics (CORE) Indonesia, believes that the government's poverty alleviation efforts still face significant challenges in line with the projected economic growth for the coming year. The government targets an economic growth rate of 5.3%-5.7% in 2024. However, historical data shows adjustments often occur in political years, especially considering uncertain global conditions. The challenging economic growth will affect the fulfillment of socioeconomic targets, including poverty and unemployment rates. Additionally, the distribution of economic growth to all groups can increase income, which will also impact the poverty rate. The latest poverty data indicates an increase despite the economic growth.⁶⁸ The following is a matrix analysis of the causes, both from the external and internal environments:

mary sis of the eduses, both it our the external and internal environments.				
Causes Analysis from the Internal	Causes Analysis from the External			
Environment	Environment			

⁶³ Bisnis.com, 2023a, Loc.cit.

⁶⁴ H.N. Hezarjribi and Z. Bozorgpour, 'Optimized Business Management by Using SWOT and QSPM Matrices (Case Study: Mazandaran Wood and Paper Industries)' (2017) 13 Journal of Administrative Management, Education and Training. [409-422].

⁶⁵ Benny R. P. Sinaga, 'Tutoring Education Franchise Strategy in Indonesia: A SWOT Analysis' (2022) 1 Scientium Management Review. [3-4].

⁶⁶ Bisnis.com, 2023a, Loc.cit.

⁶⁷ Loc.cit.

⁶⁸ Loc.cit.

Significant government efforts and budget allocation is needed.	The government must control inflation, as the pressure on food prices has hindered the	
The target economic growth of 5.3%-5.7% in	reduction of the poverty population. Increased investment realization but	
2024 will impact the achievement of socioeconomic targets, including poverty and unemployment rates	decreased absorption of the workforce. Therefore, the government must promote the manufacturing industry, especially those weakened due to demand pressures in traditional export markets.	
Poverty alleviation is not only an economic issue but also involves social, legal, and political aspects.	According to the World Bank, the population in Indonesia nearing the poverty line or living in poverty is predominantly composed of farmers. Farmers are highly vulnerable because crop failures can lead to poverty and extreme poverty, as they cannot recover their production capital.	

Integrative Education Law in Addressing Extreme Poverty

The presence of law is for humanity and its social goals, so whenever there are changes in society, the law should be reviewed and improved.⁶⁹ Considering that the priority issue to be addressed is eradicating extreme poverty by 2024, the law must be present in the education sector to address the existing problems. There have been several hard efforts by the government in the education sector to eradicate poverty but they have not been maximized, including School Operational Assistance which began in 2005 and AskesKin in the health sector.⁷⁰

Therefore, in addressing poverty and supporting the government's three main strategies, it is essential to implement the SWOT analysis as the basis for forming the education strategy based on strength, weakness, opportunity and threat points.⁷¹ The use of SWOT analysis means that an efficiently structured planning method is employed for strategic planning to identify potentials and priorities for sustainable development strategies. This analysis has been expanded to various sectors to assess decisions and policy directions systematically,⁷² due to every mature decision and policy is the repeated behavior and action, which is carried out by the policy maker himself and which must be obeyed by the community.⁷³

Strengths and weaknesses (regional analysis) are internal factors, while opportunities and threats (global analysis) are external factors. Evaluating internal and external environmental factors is an integral part of strategic planning that plays a role in adopting strategies and becomes a component of sustainable school management. Then, the numerous alternatives in the SWOT analysis need to be evaluated to choose the best strategy most

18

⁶⁹ Rintis N. Pramugar and Maria S.E. Wangga, 'Bedah Buku "Hukum Kata Kerja: Diskursus Filsafat tentang Hukum Progresif oleh Nobertus Jegalus: Suatu Kajian Paradigmatik' (2022) 1 Philosophy and Paradigm Review. [32].

⁷⁰ Vicy Andriany, Tezi Asmadia, and, Eka Kharisma, *Op.cit*. [5].

⁷¹ A. Rifdah Dzakiyyah Tenri Sa'na, Syamsu Alam and Wahda, 'Analysis of Brand Personality and Instagram Social Media Influence on Election Decisions in the 2024 Election: As a Basis for Forming a SWOT Analysis' (2023) 2 Journal of Business Issues. [8].

⁷² Amir Ghorbani, Valiollah Raufirad, Parisa Rafiaani, Hossein Azadi (2015), 'Ecotourism sustainable development strategies using SWOT and QSPM model: A case study of Kaji Namakzar Wetland, South Khorasan Province, Iran' (2015) 16 Tourism Management Perspectives. [290–297].

⁷³ Muh. Syarifuddin, 'Analisis Pengaruh Kebijakan Pemerintah Terhadap Self-Efficacy dan Keputusan Strategis Pelaku UMKM di Indonesia Serta Dampaknya pada Keberlangsungan Usaha pada Masa Pandemic COVID-19' (2023) 2 Scientium Management Review. [479].

suitable for the internal conditions and external environment. Evaluation and selection are essential components of the SWOT analysis based on the tasks and functions of the school:

essential components of the SWOT analysis based on the tasks and functions of the school:					
SWOT Analysis	Reduction of	Increase in income	Reduction of		
	financial burdens	for extreme poor	pockets of poverty.		
	for extreme poor	groups.			
	groups.				
Strengths	a. Accessibility to	a. Accessibility to job	Utilizing remaining		
	affordable basic	openings by	school lands for		
	necessities by	empowering	agricultural/fishery		
	empowering	information	training activities for		
	information	through school	teachers and parents		
	through school	websites or	of students still		
	websites or	announcements in	within the poverty		
	announcements	schools scattered	line.		
	in schools	throughout			
	scattered	Indonesia.			
	throughout	b. Empowerment of			
	Indonesia.	local product			
	b. The free lunch	industries by			
	program for	establishing			
	elementary,	partnerships to			
	junior and senior	increase the			
	high school	income of			
	students and the	communities			
	equivalent, which	around schools			
	is right on target	and the income of			
	in schools that fall	parents of			
	into the category	students who are			
	of pockets of	still living in			
	poverty, thereby	poverty.			
	reducing the				
	burden on the				
	households.				
	Based on data from the Central Statistics Agency (2023, 170-194)				
	there are a total of 148.86 thousand elementary schools, 41.99				
		schools, 14.24 thousan			
	14.27 thousand vocational high schools, and 3.1 thousand tertiary				
		Ministry of Education,			
	Technology. There are also 26.5 thousand Islamic elementary schools, 19.15 thousand Islamic junior high schools, 9.83 thousand Islamic				
		d 0.89 thousand tertiary			
	Ministry of Religion. ⁷⁴	·			
Weaknesses	Requires a significant	Requires a significant	Requires a significant		
	budget and hard	budget and hard	budget and hard		
	work. For example, if	work to provide	work, as improving		
	the government	employment	the pockets of		
	provides social	opportunities so that	poverty requires		
	assistance to 44	aid recipients are not	infrastructure		
	million people	dependent on	development.		
	categorized as poor,	r · · · · ·	F		
	,		I		

⁷⁴ Badan Pusat Statistik, Statistical Yearbook of Indonesia 2023 (Badan Pusat Statistik 2023). [170-194].

	with each assistance amounting to Rp. 300,000 per month, which would result in government expenditure of Rp. 13.2 trillion per month.	government social assistance.	
Opportunities	Enhancement of capabilities for teachers and students, for example, by adding extracurricular activities such as agricultural/fishery awareness programs conducted by agricultural/fishery educators on land utilization or hydroponics for the basic needs of students and teachers.	Establishing cooperatives for teachers and students in schools supervised and guided by the education office through its branches. With the presence of cooperatives, they can provide light loans to teachers and students willing to implement advice and training from agricultural/fishery educators invited regularly by the education office.	Providing complete assistance (e.g., through school operational funds) to children whose parents are within the poverty line.
Threats	Adding time for teachers, students, and parents to attend training can lead to many not participating.	Misuse of loans by certain teachers or students, which may be used for personal consumption.	Refrain from using assistance funds. To minimize such misuse, the independence and autonomy of school committees in all schools in Indonesia and civil society organizations engaged in education are needed.

The engagement of law with schools and the education sector aligns with SDG 16, which aims to promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable, and inclusive institutions at all levels. However, the performance of the education department overseeing schools in Indonesia has not fully reflected Article 1, clauses 6, 8, and 9 of Presidential Regulation No. 29 of 2014 concerning the Performance Accountability System of Government Agencies.⁷⁵ The performance of the education department tends to focus only on two main targets, namely improving access and equal distribution of education services and enhancing the qualifications

⁷⁵ Muh. Bukhari, Ryan S. Alam and H. Kamela, H (2022), 'Indikator Kinerja Utama Jenjang Pendidikan Sekolah Menengah Sederajat di Indonesia: Suatu Studi Literatur' (2022) 1 Scientium Management Review. [12].

and competencies of teachers and education personnel.⁷⁶ In fact, the performance of an individual or group in an organization should achieve organizational goals within a certain period of time,⁷⁷ while still referring to strong preferences, sustainable processes and employee loyalty to the organization.⁷⁸

There is a need for regulations to improve the performance of the education department and public schools, which, when based on the internal organizational environment, can address resource management, capabilities, and core competencies to minimize poverty within the school setting. Key internal factors for the success of the education department and schools can be measured by implementing organizational learning. This approach involves knowledge development through experimentation and creativity rather than solely relying on past experiences, which can lead to fatal consequences. The results of this organizational learning approach should cascade into several essential elements for poverty alleviation performance in the school environment. These elements include the quantity of active involvement of parents from low-income backgrounds, the quality and timely completion of work, active participation in job training, and the ability to collaborate effectively. These factors serve as KPIs for schools and the education department. The transformation of these KPIs should be applied to the education department and schools with independent oversight from school committees and relevant stakeholders. It will result in the delivery of high-quality education based on poverty alleviation throughout Indonesia.

C. CONCLUSION

This study yields two conclusions. First, education is crucial in addressing extreme poverty in Indonesia because educational law serves as a means for bureaucratic and societal renewal. The three main strategies of the government to eliminate extreme poverty by 2024 can be implemented through strengthening educational institutions (schools, colleges, education offices, and the ministry of education and culture) both in terms of coordination and collaboration. Second, the ideal concept of law in addressing extreme poverty through the education sector is achieved through bureaucratic engineering based on norm systems and behavioral systems. In contrast, societal engineering is carried out through value systems, the whole of which must be carried out by targeting a predetermined locus. The engineering of schools, the education department, and universities are done by updating regulations on organizational performance that must be based on poverty alleviation. Meanwhile, societal engineering is accomplished through excellent bureaucratic services that involve active participation from the community around schools and universities, as well as strengthening the roles and functions of each school committee in reducing the burden of extreme poverty, increasing the income of the extremely poor, and alleviating pockets of poverty, as outlined in the SWOT matrix that serves as the KPIs for the education department, schools, and school committees.

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⁷⁶ Loc.cit.

⁷⁷ Dian Retno Pratiwi, Mahlia Muis, Fauziah Umar, 'Effectiveness of Management Information Systems and Motivation on Employee Performance at PT. Bank Sulselbar, Gowa Branch' (2023) 2 The Scientia Journal of Economics Issues. [180].

⁷⁸ Fadliari Bastian, Muh Yunus Amar and M. Toaha, 'Style Leadership and Job Satisfaction to Performance Officer Through Organizational' (2023) 2 Journal of Entrepreneurship and Financial Technology. [71].

⁷⁹ Loc.cit.

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