



DOI: <https://doi.org/10.38035/snlpr.v2i1>
<https://creativecommons.org/licenses/by/4.0/>

Reform of The National Education System For The Sake of Optimizing The Implementation of A Curriculum System with Legal Certainty and Justice

Kimico Margaretha Tjhia¹, Faisal Santiago², Tina Amelia³

¹Universitas Borobudur, Jakarta, Indonesia, kmcjun1@gmail.com

²Universitas Borobudur, Jakarta, Indonesia, faisalsantiago@borobudur.ac.id

³Universitas Borobudur, Jakarta, Indonesia, tinaamelia@borobudur.ac.id

Corresponding Author: kmcjun1@gmail.com¹

Abstract: This article examines the renewal of Indonesia's national education system (2021-2025) with a focus on the rule-of-law requirements for curriculum implementation: legal clarity, accessibility, foreseeability, and enforceability. Using a doctrinal, socio, legal design, we map the hierarchy of norms governing curriculum and standards Government Regulation No. 57/2021 on National Education Standards as aligned by No. 4/2022, and the curriculum framework in Ministerial Regulation No. 12/2024 as amended by No. 13/2025, and test their coherence through the principles of *lex superior*, *lex posterior*, and *lex specialis*. A PRISMA-guided evidence synthesis of literature and reputable policy reports complements the legal analysis, incorporating cost-effectiveness metrics (Learning-Adjusted Years of Schooling, LAYS) to assess feasibility. Findings indicate improved legal certainty at the regulatory apex, yet gaps persist at the level of implementing provisions (definitions, transitional clauses, and operational guidance on assessment and teaching resources). The Constitutional Court's Decision No. 3/PUU-XXII/2024 elevates a positive state obligation to finance compulsory basic education without fees in both public and qualifying private schools, requiring secondary legislation to define "no-fee", eligibility criteria, prohibited charges, and remedies. To reconcile legality with equity and fiscal realism, we propose a compliance architecture comprising needs-based funding formulas, output-linked service contracts for private providers, standardised structured-pedagogy and targeted-instruction packages as cost-effective supports, and a legally based on grievance redress mechanism with sanctions and restitution. The contribution is a legally anchored, evidence-informed roadmap that balances legal certainty, distributive justice, and implementability.

Keyword: Rule Of Law, Legal Certainty, Curriculum Implementation, Constitutional Court, Compulsory Education Finance, Needs-Based Funding, Structured Pedagogy, Indonesia.

INTRODUCTION

Background

The reform of the national education system in the last five years shows the acceleration of regulations that have a direct impact on curriculum governance in education units. Starting from the arrangement of the National Education Standards (SNP) through Government Regulation No. 57 of 2021 which was then harmonized through Government Regulation No. 4 of 2022, the government reaffirmed the standard architecture as a legal reference for all paths, levels, and types of education (Government of the Republic of Indonesia, 2022). This arrangement continues at the level of curriculum policy through the Ministry of Education and Culture No.56/M/2022 concerning Guidelines for the Implementation of the Curriculum in the context of learning recovery, as well as strengthening the framework of the Independent Curriculum through Permendikbudristek No. 12 of 2024 which was amended by Permendikdasmen No. 13 of 2025 (Government of the Republic of Indonesia, 2022). The regulatory package marks the transition from a post-pandemic recovery emergency policy to a more established curriculum regime, with the intention of providing a clear direction for education units in designing, implementing, and evaluating learning.

At the same time, the constitutional landscape underwent an important development through the Constitutional Court Decision No. 3/PUU-XXII/2024 (May 27, 2025) which affirmed the state's obligation to finance basic education in public and private schools within the framework of fulfilling the right to education. This decision opens up a new affirmation regarding the financing policy space, including the levy limit that must be read in line with sectoral laws and regulations. Thus, the issue of justice (equity of access and cost) is no longer just an ethical consideration, but a juridical parameter inherent in the implementation of the curriculum. A crucial question arises: has the configuration of the latest regulations sufficiently guaranteed "legal certainty" in the implementation of the curriculum at the level of educational units while or simultaneously ensuring justice for students, parents, and education providers? In the perspective of the rule of law, legal certainty presupposes clarity of norms, prohibition of arbitrariness, accountability, and effective protection mechanisms. Recent literature emphasizes the rule of law as a well-established concept and is defined enough to be a reference for the evaluation of public policies, including education (Goldoni and Wilkinson, 2021). In Indonesia, these parameters are relevant to examine whether the regulatory hierarchy (UU-PP-Permen/Kepmen) and its derivatives provide a consistent, operational, and accountable signal in the classroom. However, the curriculum never stops at the text. Contemporary curriculum studies view it as a policy enactment process, that is, the curriculum is "revived" through the decisions of teachers, principals, and local ecosystems with all the limitations of resources, school culture, and applicable accountability. The Journal of Curriculum Studies literature emphasizes the gap between the designed and enacted curriculum and the need for policy support to close the gap. In the Indonesian context, it requires the design of rules that are not only formally valid, but also implementable in various conditions between regions and between organizers (public and private) (Deng, 2025).

The dimension of justice adds to the complexity. Equitable curriculum reform not only takes care of equality of opportunity, but also the feasibility of costs and compliance burdens at the school and household levels. A recent efficiency study in the Journal of Development Economics (2025) shows the importance of weighing the cost-effectiveness of educational interventions (e.g. strengthening basic instruction, formative assessments, teacher support) so that policies produce maximum learning benefits per unit of cost (Angrist et al., 2025). In the post-Constitutional Court ruling, this is a prerequisite for the design of rules that are fair and feasible; how to ensure implementation support (funding, teaching tools, capacity building) so that the burden of costs does not shift to vulnerable families or private schools.

The research gap lies in the lack of studies that integrate three lenses at once, namely (i) legal certainty in the working procedures of curriculum regulations; (ii) fairness in access and financing after the Constitutional Court's decision; and (iii) the dynamics of policy enactment in schools with the reference of cost-effectiveness evidence to guide policy trade-offs. Normative studies often stop at the coherence of texts, while policy studies tend to focus on school practices without linking them to the parameters of the rule of law. This article fills this gap by mapping the coherence of norms, assessing the implications of financing fairness, and linking it to the real conditions of curriculum implementation at the education unit level, based on the latest Q1/Q2 literature.

Problem Formulation

Departing from the gap above, the research questions asked are:

- a. How is the configuration of regulations PP No. 57 of 2021 jo. PP No. 4 of 2022, Kepmendikbudristek No. 56/M/2022, Permendikbudristek No. 12 of 2024 jo. Permendikdasmen No. 13 of 2025 to ensure legal certainty in curriculum implementation?
- b. How is justice in access to and financing of basic education reinterpreted after the Constitutional Court Decision No. 3/PUU-XXII/2024, and what are the consequences for the authority, the prohibition of certain levies, and support schemes for private schools that meet the criteria?
- c. What are the governance models such as standards, accountability, and support that are feasible to bridge the gap between the designed–enacted curriculum in Indonesia according to Q1/Q2 empirical evidence?

Theoretical Framework

1. Legal Certainty in the National Education System

Legal certainty is a fundamental principle in the rule of law that ensures that every regulation is drafted clearly, consistently, and can be applied fairly without room for multiple interpretations. Pech (2022) emphasized that legal certainty requires predictability, effective judicial protection, and institutional accountability in the formulation and implementation of public policies. In the context of national education, this principle is reflected in the hierarchy of norms that must be maintained, starting from Law No. 20 of 2003 concerning the National Education System, and Government Regulation No. 4 of 2022, and various Ministerial Regulations and Ministries that are their operational derivatives. This is where vertical (UU-PP-Permen) and horizontal (inter-Permen, inter-implementation scheme) coherence is important to avoid overlaps or legal loopholes that are detrimental to educational units. Goldoni and Wilkinson (2021) added that the rule of law must also take into account aspects of the substance of justice, not just legal formalism (Goldoni and Wilkinson, 2021). The implication is that in designing and updating the curriculum system, each regulation must meet the elements of legality, traceability of implementation, and clarity of sanctions and incentives in their implementation in the field.

2. Justice in Education: Access, Cost, and Equity

Justice in education refers to the ability of the system to provide equal opportunities for all citizens without discrimination of socio-economic status, geography, disability, or type of organizer (public/private). Constitutional Court Decision No. 3/PUU-XXII/2024 (May 27, 2025) affirms the state's obligation to finance basic education in eligible public and private schools, so that the cost aspect becomes a juridical dimension inherent in access to education (Constitutional Court of the Republic of Indonesia, 2025). This ruling updates the parameters of fairness in financing and limits the potential for levies that burden households, especially on private units that serve poor groups.

For the theoretical framework, Fraser formulates justice as three dimensions that must be present simultaneously, redistribution (economy), recognition (identity), and representation (involvement in policy). This approach helps evaluate whether curriculum and funding policies are actually reducing structural inequalities such as schools in 3T or small private schools with poor students, rather than simply improving curriculum documents (Fraser, 2008). At the global level, UNESCO-GEM & the World Bank through Education Finance Watch 2024 reported serious pressures on education funding including projected declines in education aid, which widens the finance gap for low-income countries, reinforcing the urgency of a fair and efficient public financing scheme (Global Education Monitoring Report Team (UNESCO), 2024). This concept is in line with the views of Nganga, Jamison, & Shepard (2025) who stated that educational justice must pay attention to the redistribution of resources, recognition of the diversity of learners' needs, and the representation of vulnerable groups in policy (Nganga et al., 2025). It is not enough to provide a uniform curriculum, the system must also ensure the availability of adequate facilities, teachers, and financial support so that the curriculum can be implemented meaningfully.

The latest literature also emphasizes the importance of cost-effectiveness in education policymaking. Angrist et al. (2025) show that strengthening basic instruction, formative assessment, and teacher mentoring is a strategy with a high cost-benefit ratio (Angrist et al., 2025). This means that curriculum reform will only be fair if it is accompanied by real support, especially for schools with low capacity. This concept of justice can also be read through the framework of Nancy Fraser's social justice theory, which demands the simultaneous presence of dimensions of economic redistribution, identity recognition, and policy representation (Fraser, 2008). In the context of national education, this means that curriculum and financing policies must consciously accommodate the needs of marginalized groups, including small private schools serving poor children or remote areas.

The findings of UNESCO (2024) and OECD (2023) show that many developed countries have adopted a needs-based funding approach to ensure structural equity in education (OECD, 2024). On the other hand, justice is not only about allocation, but also about the ability of local actors, especially school principals, to manage, account, and fight for resource support in a fair and transparent manner (Moraguez et al., 2025). Therefore, in addition to inclusive curriculum design, it is necessary to strengthen governance capacity so that the principle of justice does not stop at the normative level, but is embodied in micro-decision-making in educational units.

3. Policy Enactment: Curriculum as a Social and Political Process

The curriculum is not just a normative document, but an enactment process, that is, how curriculum policies are interpreted, modified, and implemented by educational actors in their respective local contexts. Ball, Maguire, and Braun (2012) call this process the result of an interaction between policies, school interpretations, and implementation capacity (Ball et al., 2012). Ro (2024) in the *Journal of Curriculum Studies* emphasized that teacher professionalism and clarity of technical regulations are the key to bridging the gap between the designed and enacted curriculum (Ro, 2024). Meanwhile, Tran & O'Connor (2024) show that the competence of the teacher's curriculum greatly determines the success of the implementation of the Merdeka curriculum, which requires freedom of responsibility (Tran and O'Connor, 2024). Finnanger & Prøitz (2024) also criticize that the involvement of teachers in the national curriculum process does not necessarily mean that they have a substantive influence in its implementation (Finnanger and Prøitz, 2024). Therefore, there is a need for policy mechanisms that not only facilitate the role of teachers, but also ensure training support, academic supervision, and adaptive accountability architecture.

Table 1. Summary of Theory & Reference Framework

Theoretical Aspects	Core Concept	Main References
Legal Certainty	Rule of law, predictability, legal clarity, accountability	Pech (2022); Goldoni & Wilkinson (2021)
Education Justice	Redistribution of resources; Recognition & representation of vulnerable groups	Nganga et al. (2025); Constitutional Court Decision No. 3/PUU-XXII/2024; Angrist et al. (2025)
Policy Enactment	Differences between curriculum designed and implemented in schools	Ro (2024); Tran & O'Connor (2024); Finnanger & Prøitz (2024); Ball et al. (2012)

METHOD

This study applies a doctrinal-socio-legal design. On the juridical-normative side, it will map the coherence of the hierarchy of norms (Law No. 20 of 2003; PP No. 57 of 2021 jo. PPNo. 4 in 2022; Ministry of Education and Culture No. 56/M/2022; Permendikbudristek No. 12 of 2024 jo. Permendikdasmen No. 13 of 2025; Constitutional Court Decision No. 3/PUU-XXII/2024) and evaluates indicators of legal certainty, clarity, consistency, predictability, and accountability, within the framework of the rule of law. On the socio-legal side, there will be a synthesis of Scopus Q1/Q2 indexed evidence (2020–2025) as well as UNESCO/OECD reports related to funding equity and curriculum implementation. Literature search followed PRISMA 2020; inclusion: peer-reviewed articles on curriculum/justice/implementation/cost-effectiveness themes relevant to Indonesia. Exclusion; opinions and studies without measurable methods/results (Page et al., 2021). The quality of the evidence was assessed using the JBI Critical Appraisal Tools; only studies of "moderate" ≥ quality were synthesized (JBI, 2020 – 2024).

Doctrinal analysis is carried out through authority mapping, *lex superior/ posterior/ specialis* tests, and linking the implications of the Constitutional Court's decision to funding design and levy restrictions. The empirical synthesis uses a thematic narrative in three groups: (i) justice (access-cost-equity), (ii) policy enactment (gap-designed-enacted curriculum), and (iii) cost-efficient implementation support. Evidence of cost-effectiveness refers to the JDE 2025 review to weigh options (e.g.: targeted instruction, structured pedagogy, formative assessment) in the Evidence-to-Decision matrix (Angrist et al., 2025). The research does not involve human subjects, the data source comes from official publications. The main limitation is the heterogeneity of outcome size and cost, so meta-analysis is not performed.

RESULTS AND DISCUSSION

Coherence Map of Legal Certainty Norms and Indicators

The consolidation of regulations at the government level shows a neat and traceable structure. Government Regulation No. 57 of 2021 explicitly establishes the scope of the National Education Standards (SNP) including the development, monitoring, and reporting of SNPs; curriculum, evaluation of learning outcomes and system evaluation, accreditation, and certification, and applies to education organized by the government and the community on formal, non-formal, and informal channels. This Government Regulation was stipulated on March 30, 2021, promulgated on March 31, 2021, as well as revoking the old regime of Government Regulation No. 19 of 2005 and its amendments, so that the legal reference regarding "what is mandatory" at the standard and evaluation level is single and clear.

The regulatory mapping shows that the SNP architecture and curriculum are relatively consolidated. The consolidation is strengthened by Government Regulation No. 4 of 2022 which amends/adds a number of articles to Government Regulation No. 57 of 2021 to harmonize the mechanisms of standardization, guarantee, quality control and accreditation with the provisions of higher education and affirm the ideological foundation of the SNP (Pancasila, 1945 Constitution, NKRI, Bhinneka Tunggal Ika). With these two regulations, the SNP

architecture is again "closed" (no regulatory gap) and the normative obligations of education units become more predictable (Government of the Republic of Indonesia, 2021). At the implementation level, Permendikbudristek No. 12 of 2024 became a formal reference for the PAU-Dikdas-Dikmen curriculum and was amended through Permendikdasmen No. 13 of 2025 (July 15, 2025). These changes affirm the transition phase from a "learning recovery" regime to an established curriculum, while maintaining the continuity of the core structure (without major substantial changes). From the perspective of legal certainty, the combination of Permendikbudristek No. 12 of 2024 and Permendikdasmen No. 13 of 2025 improves foreseeability in education units, although it still requires detailed technical guidelines (achievement mapping, assessment, teaching tools) so that the implementation is uniform (Ministry of Education and Culture, 2024).

At the technical level, SNP is also defined quantitatively as 8 standards of Graduate Competency, Content, Process, Assessment, Education Personnel, Infrastructure, Management, and Financing that guide curriculum planning and operational quality evaluation. This framework meets three indicators of legal certainty according to the rule of law literature; clarity of norms (substance SNP), accessibility (official documents available at JDIH), and predictability (harmonization of PP No. 57 of 2021 jo. PP No. 4 of 2022 closing the transition gap).

Implications of Justice After the Constitutional Court Decision No. 3/PUU-XXII/2024

Constitutional Court Decision No. 3/PUU-XXII/2024 on May 27, 2025 affirms the interpretation of Article 34 paragraph (2) of the National Education System Law: compulsory learning at the basic education level is carried out without charge, both in public schools and schools/madrasas organized by the community. This interpretation changes the legal position from "possible support" to a positive obligation of the state to bear the cost of providing basic education which was previously often borne by families when children attended private schools due to limited state capacity. Normatively, the standard of justice increases, and the principle of non-discrimination against students in the private pathway who are "forced" becomes an option because the supply factor is part of the Court's consideration (Constitutional Court of the Republic of Indonesia, 2025). This new obligation applies to a very large ecosystem; 52.9 million students in the 2024/2025 school year, with ups and downs dynamics across levels. This number illustrates the coverage of the population that must be guaranteed to be free of levy at the elementary level (SD-SMP). In addition, the structure of organizers in Indonesia is indeed plural; The World Bank report notes that the role of the private sector is increasing at the middle level (historical indication: ~56% of junior high schools and ~67% of high schools are private), so the "no-charge" financing design cannot be a one-size-fits-all and should segment private units according to the capacity and support the state receives (World Bank, 2024). At the macro financing level, Education Finance Watch 2024 shows limited fiscal space in many low- and middle-income countries; government spending per child averaged only US\$55 (LIC) and US\$309 (LMIC) in 2022, and to achieve the SDG4 target requires an increase in total education financing of 4.2-6.5% of GDP (combined government, households, donors) in 2023-2030. Although Indonesia has the status of UMIC, this pattern emphasizes the need for more efficient and targeted reallocation so that the mandate of the Constitutional Court can be operationalized without shifting costs to households.

OECD comparative evidence confirms the effectiveness of needs-based funding with the weight of poverty, 3T location, disability, and school capacity to reduce inequality while reducing inefficiency, provided it is accompanied by strong governance (transparency of formulas, accountability of use, and performance-based evaluation). Theoretically, this is in line with Fraser's theory of justice (redistribution, recognition, representation), resources should flow more to the most needy groups/units (redistribution), acknowledge the diversity of

needs including in small private schools or 3T areas (recognition), and involve local, community actors in formulation/monitoring (representation). In the framework of the modern rule of law, legal certainty is not formal enough, it requires predictability (clear formula), accessibility (published in the JDIH), and enforceability (sanctions & remedies in the event of prohibited levies) (OECD, 2023).

The implications of justice after the Constitutional Court's decision. Constitutional Court Decision No. 3/PUU-XXII/2024 (May 27, 2025) reinterprets the phrase of Article 34 paragraph (2) of the National Education System Law so that compulsory education at the basic education level is carried out without charge both in state units and those organized by the community (private). This amar shifts the standard of justice from "ability to support" to the state's obligation to guarantee basic financing. Normatively, the decision opens up space for affirmative funding design as well as demands operational arrangements regarding the segmentation of private units receiving support so that it is fair and feasible (Constitutional Court of the Republic of Indonesia, 2025). At the same time, independent juridical analysis reminds us of an important nuance: the collection of some private schools is still possible with conditions, especially if they have not received state support and are obliged to provide financial relief. This means that derivative regulations must be strict on recipient criteria, specific levy prohibitions, and complaint/recovery mechanisms (GRM) so that cost-shifting to vulnerable households does not occur (Constitutional Court of the Republic of Indonesia, 2025).

Fiscal context and urgency of need-based funding. The global picture from Education Finance Watch 2024 (World Bank-UNESCO-UIS) shows that education funding is indeed increasing, but it is still far from adequate, especially in low/middle-income countries. In 2022, the average education spending was only around US\$55 per child (LIC) and US\$309 per child (LMIC) per year—well below the need to close the learning crisis. In the midst of debt pressure, EFW 2024 emphasizes the need for more adequate, efficient, and equitable allocation. This narrative strengthens the need for a needs-based funding formula at the regional/school level so that the mandate of the Constitutional Court is operational without burdening families (World Bank, 2024).

The OECD policy reference emphasizes that need-based funding mechanisms based on poverty, 3T location, and disability are effective in reducing inequality while reducing systemic inefficiencies when accompanied by performance-based governance and evaluation. This is in line with the necessity of the rule of law to maintain the coherence of norms and substantive justice in implementation (OECD, 2021).

Policy Enactment: From "Designed" To "Implemented" Curriculum

The Journal of Curriculum Studies emphasizes that the gap between designed and enacted curriculum can be bridged through teacher professionalism and curriculum competence, namely how teachers interpret curriculum documents and make pedagogical decisions in the classroom. Ro (2024) highlights the importance of professionalism to realize powerful knowledge, while Tran & O'Connor (2024) details the competency components of the teacher's curriculum (what to pay attention to, how to interpret, and why to decide) (Ro, 2024). At the level of national curriculum making, Finnanger & Prøitz (2024) show that teacher involvement does not always mean substantive influence; hence implementation support (teaching tools, coaching, formative assessment) is a determinant of the quality of enactment. A Journal of Development Economics (2025) review of >200 evaluations in 52 countries using the Learning-Adjusted Years of Schooling (LAYS) metric found some interventions to be much more cost-effective than business-as-usual approaches. The two that are consistently in the top group are targeted teaching according to learning level (TaRL) and structured pedagogy (lesson plan + student materials + teacher training & monitoring) (Angrist et al., 2025). This

evidence is relevant as a support package for the implementation of the Independent Curriculum, especially in low-capacity schools. The Merdeka Curriculum was quickly adopted through a voluntary scheme that was then mandatory: 66% of schools adopted it within the first 3 months and now it has reached $\pm 88\%$; curriculum content was cut by 30-40% to provide space for deep learning and formative assessment (AKM) as a support for enactment in the classroom. At the same time, the government is developing Education Report cards for cross-level feedback, so that schools and regions can adapt teaching to students' learning positions (Center for Standards, Curriculum, and Assessment (PSKP) of the Ministry of Education, 2024).

Strengthening teacher capacity (instructional leadership pipeline). The scale of the Driving Teacher Program shows the preparation of enactment agents: 32,279 Prospective Driving Teachers (Class 11, 2024) attended 6 months of education; Batch 10 includes 26,885 teachers from 319 districts/cities in 38 provinces. On the edutech side, the government targets >1.1 million teacher users on the Merdeka Mengajar Platform (PMM) by 2024, and stated that digitalization will accelerate the achievement of Merdeka Learning (including the distribution of >1.3 million ICT devices). This marks a shift from "regulatory socialization" to "operational support" (teaching tools, communities of practice, classroom-based training) (Medcom.id, 2024).

In Fraser's framework, justice demands the presence of redistribution (the flow of resources to those most in need), recognition (recognition of special needs, 3T, disability, small private schools serving poor families), and representation (involvement of local/community actors in decision-making) (OECD, 2021). Reading together with the mandate of the Constitutional Court, this theory leads to the design of policies that are not only formally valid, but also socially fair and feasible to be worked on in the classroom. (The Fraser framework serves as the theoretical foundation; EFW/OECD data and JCS-JDE findings link it to implementation).

The Journal of Curriculum Studies (JCS) 2024 literature emphasizes that enactment is determined by: (i) the teacher's curriculum competence, what is considered, how to interpret the curriculum, and the reasons for decision-making (Tran and O'Connor, 2024); (ii) the professionalism of teachers in actualizing "powerful knowledge" so that the content of the curriculum really becomes enabling knowledge (Ro, 2024); and (iii) the involvement of teachers as curriculum makers at the national level for the sake of legitimacy and ownership of implementation (Finnanger and Prøitz, 2024). The OECD framework (2024) suggests gradual adoption, increased literacy assessment, and autonomy that is limited by standards so as not to widen into inequality, all of which are directly related to enactment practices in the classroom.

Feasibility and Cost-Effectiveness

LAYS brings together "access and quality" so that learning gains can be compared against cross-border standards and linked to the right costs to assess policy efficiency. Initial applications of 150 evaluations/46 countries showed that some of the most effective programs were able to provide ≈ 3 "years of quality learning" per US\$100 per student, while other intervention classes were close to 0 years, proving the importance of cost-benefit intervention selection (Filmer et al., 2018). Methodologically, LAYS has been presented as a concise measure that better predicts outcomes and is more transparent for policy accountability than just an elementary (effect size) or raw school year.

In the fiscal context, global education spending space is still tight, with the average government spending per child in low-income countries only \approx US\$55), and in the lower middle class \approx US\$309 (in 2022). This condition demands a reprioritization towards interventions that have proven to be the most cost-effective and easily scalable (World Bank, 2024). The OECD policy framework also emphasizes the efficiency of implementation through concise

governance, scheduled coaching, and ready-to-use teaching materials, especially as the shortage of teachers is reported to be increasing (principals who state that teacher shortages hinder learning increased from 29% (2015) to \approx 47% (2022) on the OECD average). (OECD, 2024)

In terms of "what works", two groups of interventions consistently rank at the top of the cost-effectiveness: (i) Teaching at the Right Level (TaRL), grouping students based on actual ability and using simple formative assessments that often cost < US\$10/student/year but provide a measurable literacy-numeracy leap; (ii) Structured pedagogy, integrated lesson plan packages, student teaching materials, teacher training and monitoring which by GEEAP (2023) is categorized as a "Great Buy" due to the combination of high impact and controlled implementation costs at the scale of the system (Piper et al., 2024).

The core operational findings show that; (i) The coherence of norms improves. Government Regulation No. 57 of 2021 jo. Government Regulation No. 4 of 2022 and Ministerial Regulation No. 12 of 2024 jo. Regulation No. 13 of 2025, but it needs detailed technical guidelines so that foreseeability in schools is maintained; (ii) The Constitutional Court's decision raises the standard of justice to a basic financing obligation without levy, so that the needs-based formula and assistance service contracts for private units need to be firmly designed; (iii) The success of implementation is highly dependent on enactment by teachers; and (iv) The structured pedagogy TaRL + support package provides the highest cost-benefit ratio, suitable for a fiscal context that demands efficiency (OECD, 2021/2024).

CONCLUSION

The curriculum update in 2021–2025 shows an improvement in legal certainty in the sense of clarity, coherence, and traceability of norms. Hierarchically, Government Regulation No. 57 of 2021 jo. Government Regulation No. 4 of 2022 strengthens the SNP architecture as a reference at the government regulatory level, and Permendikbudristek No. 12 of 2024 jo. Permendikdasmen No. 13 of 2025 lowers it to operational rules. From the perspective of the rule of law, this arrangement increases foreseeability for educational units but still requires more detailed implementing provisions (transitional provisions, work definitions, SOPs) so that there are no vacancies or overlapping norms (the principle of *lex superior/posterior/specialis*).

In the realm of constitutional justice, the Constitutional Court Decision No. 3/PUU-XXII/2024 affirms the positive obligation of the state to ensure compulsory basic education without levying fees, including in units organized by the community (private) that meet the requirements. This decision shifts the standard from just an affirmative policy to a juridical mandate that must be accommodated in derivative regulations and budgeting. Because the phrases "qualified" and the limitation of "levies" have direct implications for the rights and obligations of the parties, both demand precise normative definitions so as not to give rise to disputes.

From the perspective of government administration law. general principles of good governance (AAUPB/Law No. 30 of 2014), the implementation of the curriculum and funding must uphold the principles of legality, thoroughness, openness, and proportionality. Any levy that is contrary to the norm (after the definition and criteria are determined) has the potential to become an administrative act that is against the law, opening up room for remedy through the mechanism of administrative objections, the Ombudsman, and the state administrative court. Therefore, legal certainty, justice, and enforceability must be present at the same time. Clear in text, fair in design, and enforceable through sanctions and remedial instruments.

Suggestion

To close the normative gap and ensure enforceability, tiered legal steps are needed. At the central level, relevant ministries need to issue or improve implementing provisions that: (i) define "free of charge", "units organized by eligible communities", and "underprivileged students"; (ii) establish prohibitions and exclusions in a limited manner (what types of fees are prohibited/allowed, under what conditions, and how to prove them); (iii) contain transitional provisions and cut-off dates so that the transition can be predicted; and (iv) linking the mechanism of supervision, administrative sanctions, and recovery (refund of levies/compensation for services) to higher regulations, in line with the principles of legality. At the regional level, local governments need to standardize the mandate in the implementing *Perkada/Perkada*, adopt a need-based funding formula (value/weight standards, verification procedures), establish service contracts for private units receiving support with non-discrimination clauses and prohibition of levies, and build an integrated complaint mechanism (GRM) that has a legal basis, SLA for settlement, and public access. These documents must be announced through JDIH in order to meet the principle of openness.

At the level of the education unit, it is necessary to establish a normative Decree of the Principal/Foundation, the 1-2-year Curriculum Implementation Plan (RIK) as a compliance document, a formative assessment policy, and a non-donation policy (or a valid voluntary donation acceptance procedure) that is in line with the central/regional definition. Budget transparency and policy publication on the school's official website are part of the legal obligation to meet the principle of accountability. Violations of the prohibition of levies after the transition period must be able to be acted upon through multi-level administrative sanctions (repairs, returns, freezing of assistance, and recommendations for further sanctions), with the right of administrative effort for the aggrieved party.

Through the improvement of implementing norms, the strengthening of the supervision-sanction apparatus, and the affirmation of compliance documents in education units, three legal objectives can be achieved simultaneously: certainty (clear and predictable norms), justice (access and financing that does not burden vulnerable families), and implementation (rules can be enforced, not just encouraged). This ensures that curriculum reform is not only formally valid, but also juridically effective and protective for students.

REFERENCES

- Angrist, N., et al. (2025). How to improve education outcomes most efficiently? A review with emphasis on cost-effectiveness. *Journal of Development Economics*, 172, 103147. <https://doi.org/10.1016/j.jdeveco.2024.103147>
- Angrist, N., Evans, D. K., Filmer, D., Glennerster, R., Rogers, F. H., & Sabarwal, S. (2025). How to improve education outcomes most efficiently? *Journal of Development Economics*, 172, 103147. <https://doi.org/10.1016/j.jdeveco.2024.103147>
- Angrist, N., Evans, D. K., Filmer, D., Glennerster, R., Rogers, F. H., & Sabarwal, S. (2025). How to improve education outcomes most efficiently? A review with emphasis on cost-effectiveness. *Journal of Development Economics*, 172, 103147.
- Ball, S. J., Maguire, M., & Braun, A. (2012). *How schools do policy: Policy enactments in secondary schools*. Routledge.
- Deng, Z. (2025). Powerful knowledge, school subjects and the curriculum: An international and comparative perspective—Introduction. *Journal of Curriculum Studies*, 57(4). <https://doi.org/10.1080/00220272.2025.2528744>
- Filmer, D., Rogers, F. H., Angrist, N., & Sabarwal, S. (2020). Learning-Adjusted Years of Schooling (LAYS): Defining a new macro measure of education. *International Journal of Educational Development*, 73, 102163.

- Finnanger, T. S., & Prøitz, T. S. (2024). Teachers as national curriculum makers: Does involvement equal influence? *Journal of Curriculum Studies*, 56(2), 220–234. <https://doi.org/10.1080/00220272.2024.2307450>
- Fraser, N. (2008). *Scales of Justice: Reimagining Political Space in a Globalizing World*. Columbia University Press.
- Global Education Evidence Advisory Panel (GEEAP). (2023). *Cost-Effective Approaches to Improve Global Learning: What does recent evidence tell us?*
- Global Education Monitoring Report Team (UNESCO). (2024). *Education finance (monitoring page & latest figures)*. Paris: UNESCO
- Goldoni, M., & Wilkinson, M. A. (Eds.). (2021). *The Cambridge Companion to the Rule of Law*. Cambridge University Press.
- JBI. (2020–2024). *JBI Critical Appraisal Tools*. <https://jbi.global/critical-appraisal-tools>
- J-PAL. (t.t.). *Teaching at the Right Level (TaRL) to accelerate learning (cost and impact overview)*.
- Ministry of Education and Culture. (2024). *Permendikbudristek No. 12/2024 (PAUD–Dikdas–Dikmen Curriculum)—amended by Permendikdasmen No. 13/2025*
- Constitutional Court of the Republic of Indonesia. (2025, May 27). *Decision No. 3/PUU-XXII/2024*. Jakarta: MKRI.
- Moraguez, D., Dexter, S., & Dixon, D. (2025). Assessing equity and social justice competency in leadership programs. *Educational Administration Quarterly*. <https://doi.org/10.1177/10526846251343561>
- Nganga, C., Jamison, K., & Shepard, S. (2025). Transforming knowledge into praxis in equity- and justice-oriented educational leadership. *Educational Policy*. <https://doi.org/10.1177/19427751251341295>
- OECD (2021), "Towards equity in school funding policies", *OECD Education Policy Perspectives*, No. 41, OECD Publishing, Paris, <https://doi.org/10.1787/6a3d127a-en>
- OECD. (2021/2024). *Towards equity in school funding policies (policy brief & PDF)*
- OECD. (2024). *Education Policy Outlook: Equity and Resilience in School Funding Systems*. <https://doi.org/10.1787/edu-policy-outlook-2024>
- Page, M. J., et al. (2021). PRISMA 2020 statement: An updated guideline for reporting systematic reviews. *BMJ*, 372, n71. <https://doi.org/10.1136/bmj.n71>
- Pech, L. (2022). The rule of law as a well-established and well-defined principle of EU law. *Hague Journal on the Rule of Law*, 14(2–3), 107–138. <https://doi.org/10.1007/s40803-022-00176-8>
- Government of the Republic of Indonesia. (2022). *Government Regulation No. 4 of 2022 concerning Amendments to Government Regulation No. 57 of 2021*. Jakarta: BPK RI (JDIH)
- Government of the Republic of Indonesia. (2021). *Government Regulation No. 57/2021 concerning National Education Standards*. BPK JDIH
- Piper, B., Destefano, J., Sabarwal, S., & Kaffenberger, M. (2024). Responding to the learning crisis: Structured pedagogy in low- and middle-income countries. *npj Science of Learning*, 9(1), 21.
- Ro, J. (2024). Enacting powerful knowledge: Overcoming the chasm of curriculum and teaching through teacher professionalism. *Journal of Curriculum Studies*, 56(3), 283–296. <https://doi.org/10.1080/00220272.2024.2318726>
- Tran, D., & O'Connor, B. R. (2024). Teacher curriculum competence: How teachers act in curriculum making. *Journal of Curriculum Studies*, 56(1), 1–16. <https://doi.org/10.1080/00220272.2023.2271541>

World Bank; UNESCO; UIS. (2024). Education Finance Watch 2024.
<https://documents1.worldbank.org/curated/en/099102824144023412/pdf/P50097818676430c91a18d1653943364726.pdf?utm>