

Development and education human right based

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KEYWORDS

human development
education sector
human rights

ABSTRACT Education as a public domain is the responsibility of the state to fulfil, promote, protect and enforce the rights of every citizen to obtain quality education and without discrimination. In the last two-three decades, education has fallen from within. Many reported that Indonesia's education ranking is at the lowest in the world. Reality is interesting to study. The purpose of the study is to analyze the community's rights as citizens with the enactment of provisions for educational services, which are trade commodities. The research method used is qualitative descriptive through a comparative and reflective approach, which is also carried out in capturing the reality by relating it to the government's commitment. The community feels aggrieved and then submits a judicial review to the Constitutional Court. The enactment of provisions regarding educational services, which are a trading commodity. Review of Article 4 Paragraph (2) letter d of the Trade Law of the Republic of Indonesia Number 7 of 2014 concerning trade against the 1945 Constitution of the Republic of Indonesia. Therefore, development in the education sector must align with the spirit of paragraph 4 of the 1945 Constitution, which is the goal of independent Indonesia. Articles in the 1945 Constitution of the Republic of Indonesia strengthen the argument that education is truly a public domain that requires the presence of the state to protect, promote, enforce, and fulfil the rights of every citizen to obtain equal, quality, and affordable educational services for all levels of society. This is because development and education must pay attention to / prioritize the dimensions of human rights.

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1. INTRODUCTION

It is undeniable, and if you look closely, our nation is really at a crossroads. We live in the midst of a wave of cultural and civilizational influences that are so swift coming from outside as a result of the rapid pace of development of science and technology, which has led to globalization in all areas of life (In'am & Latipun, 2020).

In the midst of such an atmosphere, it is interesting to reflect on what the Prime Minister of Malaysia Abdullah Badawi has said. For Malaysia Abdullah, Badawi said, education and human resource development are not just absolute or vital things, but a matter of life and death for Malaysia (Abbas, 2012).

If Indonesia holds the same view that education is a matter of the life and death of this nation in the future, then it is time for this nation to seriously fix education on the dimensions of education issues. Some time ago (27/11/2012) Kompas daily reported the ranking of Indonesian education in the order lowest in the world. Based on the global league table published by the education firm Pearson, Indonesia's education system is in the lowest position along with Mexico and Brazil. The first and second places went to Finland and South Korea (Asshiddiqie, 2017).

The picture above seems much bleaker when compared to the face of primary and secondary education. If

we add the number of community academies which will soon be developed in all provinces spread over 300 regencies/cities, Indonesia will be listed as the country with the highest number of universities in the world. World.

Just for comparison, China with a population close to 1.4 billion or about six times larger than Indonesia only has 2,263 universities (Fact about China Education, 2011). More interestingly, China beat the policy of merging small universities into universities. different from a more professional management. In 2011 there were around 900 small universities managed with such an approach.

The moratorium on the opening of new study programs and universities by the Director General of Higher Education is not a solution, it will even create new, more complicated problems. Higher education must constantly change and develop in tune with the demands of the development of science and the demands of the dynamics of changing society, if the claim should be blocked.

A series of various vulnerabilities in the education sector, since more than the last decade there has been a shift in overall education management policy – both at the center and in the regions – from a professional technical approach to practical political interests, even though UNESCO and the ILO (1966) have issued recommendations regarding the teaching profession and any positions related to education.

In point 43 of the recommendation it is stated that the position of supervisor, head of the education office, inspector general, including education or any position that requires special responsibilities related to education affairs, must be prioritized in order First to experienced teachers.

In the era of President Abdulrahman Wahid, education affairs were allocated to the political division of Muhammadiyah and the ministry of Religion was allocated to NU. As a result, the ministry of education was dominated by those who were supported by Muhammadiyah interests, ranging from doctors, rock experts, termites, to weak current electricity. Ironically, being neglected is a field recommended by UNESCO, namely teacher training and education. This has been maintained until now. With such an expansion, the result is that the state of Indonesia's education is considered the worst in the world.

The condition is even worse, occurring at the provincial, district/city, sub-district, down to the lowest educational bureaucratic units. With regional autonomy, the elected regents/mayors are free to place their close people who have been deemed instrumental in their victory. in the pilkada process to fill all posts in the regional education office. There are regions that promote someone who takes care of market affairs to educational matters, some from funerals to the education office. Scientific considerations such as UNESCO's advice have dried up in the chest of this country's political elite.

Educational leadership elites at the center and regions seem to be just looking for form because they generally do not grow in the realm of education and teacher training. They generally attach importance to imagery. parts of the world.

With the interests of imaging, strategic decisions are often taken without going through the results of scientific research. There are brawls between students, the solution is curriculum changes. Is it true that all of this is caused by the curriculum? Turning on the curriculum is the safest mode. Because, if the policy maker is wrong, the results will only be known 10-20 years later. Besides, one page that changes in the curriculum can give birth to thousands of new projects that can provide new land for external partners. to help increase budget absorption in the ministry of education (Abbas, 2012).

Hopefully our nation will soon be free from the shackles of political imagery interests and rise from adversity from the lowest position in the world, as reported by person. Likewise, Paulo Freire with his book Paedagogy of the Oppressed, education should be a tool to liberate underdevelopment.

For this reason, the triangular framework, namely development, education, and human rights, is actually framed by a development paradigm that is human-centered (human-centered development) into a spirit to realize social welfare.

Thus, split development will result in a wider "education gap" between rural and urban areas, between the western and eastern regions of Indonesia. Likewise, the gap in respect/protection and enforcement of human rights between the center and the regions seems very extreme, so that in turn it becomes very dangerous. Therefore, once again the balance of human rights-based education development must be a serious concern of the government. Finally, by building this awareness, we no longer find regional

discrimination between the center and the regions, in the context of education development

2. METHOD

Method research used descriptive qualitative through approach comparative, reflective is also done in take pictures reality that with hook it up with commitment government. Descriptive that is describe phenomenon that occurs Public specifically related with rights basic man in Education field. Approach study through comparative, reflective is also done in take pictures reality that with hook it up with commitment government, approach the with destination for interpret that with wave influence such culture and civilization heavy coming from outside as consequence fast rate development knowledge and technology that causes happening globalization in all field life including in Education field. Education is right basic man in Thing this right every citizen. Development in the sector education must in line spirit paragraph 4th of the 1945 Constitution which became goal of independent Indonesia. Chapter in the 1945 Constitution of the Republic of Indonesia to strengthen argument that education truly realm demanding public state presence for protect, promote, enforce, and fulfill right every citizen. Because the Education framework is a lifetime life, thing this for continuity development.

3. RESULT & DISCUSSION

3.1 Dimensions of Education

3.1.1 Building National Character

Character building (character building) and nation building (nation building) have been raised as national issues since the beginning of independence during the reign of Bung Karno, the first president of the Republic of Indonesia. Soekarno paid special attention to the formation of the nation's character at that time with the awareness that as a new nation independence from the long colonial rule of other nations has influenced the formation of an inland mentality, namely the mentality of the colonized nation which is reflected in the feeling of inferiority (low self-esteem), the inability to take initiatives for fear of being wrong, passive and apathetic, which has no creative power.

In this context, the Indonesian nation needs to develop its identity as an independent nation to be able to stand on par with other nations in the world by developing commitment, innovative creativity, and responsibility for the progress of Indonesia. The moment of independence from colonialism has also created a new awareness to unite. build life together as an independent nation on the basis of trust among so many ethnic groups in Indonesia.

Today, after entering the 74th year of Indonesia's independence, it must be acknowledged that the Indonesian people have made a lot of progress in all areas of life. But on the other hand, the development of society is also marked by an extraordinary mental and moral decline, so that it can have an impact on the further development of the nation. Among other things, this is illustrated by the low level of trust with widespread manipulation, hypocrisy, and scandal after scandal, in almost all areas of life, politics, law, economy, and socio-culture.

In fact, more than that, the wave of information technology, which is marked by the widespread use of social

media in peer-to-peer interactions, has contributed to various distortions of information in forming opinions, even the mindset of most users of information technology. Of course, the positive side of the function of information technology and the use of social media, but the use of these information instruments without a strong ethical and moral foundation for the benefit of living together, then it will be used for the short term interests of the social media users, without considering the negative side of the damage to the moral foundation in building a life together.

Contextual issues of character development, therefore remain as an urgent agenda in the development process of Indonesia. If at the beginning of independence, the context of character development was directed towards the formation of the collective identity of the Indonesian nation as an independent, independent, responsible nation, and has the ability to stand on equal footing with other nations in the world. In the world, today character education is more directed at developing the mentality of Indonesian people who are tough to face complex internal and external challenges based on virtue values originating from the nation's view of life. Moral values as core values for the life of the nation are still ongoing today.

In addition, religion is the main source of value in a society that adheres to divine values such as in Indonesia. Religious values are an integral part of the nation's core values that need to be functioned as a foundation in the formation of Indonesian human personality. Religious values can thus contribute to the formation of national identity. Religious values are not only reflected in various symbols and religious institutions that characterize people's lives, but can also function as a basis for individual and community behavior. Religious values are felt to have not functioned optimally as corridors that guard and shape behavior, thus causing the phenomenon of moral decline in people's lives. Internalization of universal religious values is obtained by religious people, especially through religious education institutions such as madrasas, Islamic boarding schools, and other educational institutions. What steps need to be taken to fulfil these expectations, and is the mission of character building solely left to formal educational institutions, and are today's educational institutions able to meet people's expectations for the formation of reliable and future generations of characters?

3.1.2 Building the Nation's Collective Mental

The constellation of people's lives in almost all social segments that demand the revitalization of moral education towards the formation of positive characters can be identified from the following phenomena: first, the phenomenon of moral decline (demoralization) that occurs in almost all sectors of Indonesian people's life, in the social, political, economic fields. Law and culture have raised tremendous concerns, which if not corrected could have a more serious impact on Indonesia's future.

The moral crisis in the social field is marked by the low level of shared life, for example, it can be seen from the widespread social conflicts and conflicts with religious nuances that occur in various regions in Indonesia. Trust as stated by Francis Fukuyama (2001), is social capital to build the progress of a nation.

The degradation of trust causes the pillars to be weak to build a common life, because low trust causes mutual suspicion or mutual feeling of being threatened by the ex-

istence of other groups, thus easily triggering violent behavior. Low trust is also a contributing factor to various deviations in society, manipulation and fraud, fraud, bribes, black markets, political transactions; and various violations and deviant behavior shown by unscrupulous figures in all fields of life, politics, law, economics and even religion, which exacerbate the damage to the moral and ethical foundations of the life of society and the nation. Even among teenagers, students and students, events that illustrate demoralization can be seen in cases of brawls between schools and acts of bullying that they do to others, both at school and in friendship circles.

In addition, the political arena is also colored by actions and behaviors that ignore moral and ethical principles by prioritizing the temporary and short-term interests of individual political parties to win influence rather than providing exemplary and obedient actions that are oriented towards broader interests, namely for life, society and nation. The mass media often shows the actions of DPR members, for example from different parties that "fight" with each other in legislative forums which often do not pay attention to the rules of polite and civilized behavior.

In the economic field, the moral decline is marked by mafia actions in this field with various forms of fraud in economic practice, such as the black market phenomenon, manipulation, money laundering cases, narcotics trafficking, human trafficking; banking crimes, and various other forms of crime. What happened was evident from the widespread practice of legal amphi, case transactions, as well as bribes and gratuities to law enforcement officers who were then entangled in cases of legal irregularities who had to be held accountable for their actions in court. This also shows the ineffectiveness of religious education provided in schools, families and communities in shaping the behavior and character of the community in shaping the behavior and character of the community in shaping the behavior and character of Indonesian society based on values, religious teachings.

The phenomenon of the nation's collective behavior associated with moral values as a moral basis as a basis for behavior is caused by the following factors: first, aggressive behavior and acts of violence that are easily ignited because apart from weak trust (mutual trust) in social relations, also due to weak self-control. (self control) and lack of empathy for other people, especially those who are victims of these acts of violence. Self-control, in the terminology of Islamic ajharan is the ability to refrain from the impulse of lust to dominate and overcome and control negative emotions such as anger, hate, revenge and others. While empathy is the ability to feel what other people feel and be able to put yourself in other people's situations. By developing empathy, you can stop someone from committing violence or hurting others. Violence is also carried out by those who ignore responsibility for the consequences of their actions. yes Trust, self-control, empathy, and responsibility function as a bull to prevent a person or society from damaging, injuring and hurting others.

Thus, the widespread hypocrisy in today's society is caused by the non-functioning of the values of honesty and self-integrity. Such behavior also tends to be carried out by those who neglect their responsibilities both towards themselves and social responsibility, honesty, responsibility and self-integrity, all of which are reflection of trust is a prerequisite to avoid hypocrisy. Furthermore, a 'nihilist' attitude, namely the tendency to negate the positive side

of a person, group, or even religious views held, can be an expression of inferior mentality and at the same time become a driving force for the growth of an inferiority complex, which causes low motivation and impetus to achieve the best from effort and hard work. This condition is what Bung Karno wanted to eliminate with his character building jargon at the beginning of Indonesia's independence, which still has to be pursued at this time in order to improve people's living conditions, and nation.

The motivation to achieve instant success without regard to the moral corridor is a form of pragmatic behavior that ignores the meaning of effort, fighting power, and the meaning of work to achieve success, which is the ethos that forms the basis of the mentality that must be formed in humans through character education. With mentality as a nation, Indonesia will be able to achieve an equal and equal position with other nations in today's global constellation.

The loss of shame in someone who has committed a disgraceful act can be related to the word of God "a heart that is collected and petrified", because violations and sinful acts are constantly being committed. Conscience is a core consciousness in the human soul that functions as a radar, to maintain nature towards truth and goodness, so that humans are farthest from disgraceful actions. The function of conscience will be blunted if the inner signal given is always opposed and defeated by the impulse of lust. This phenomenon arises because of the failure of education in maintaining the potential of nature that leads humans towards truth and good deeds, especially education in the family, at school and in the community in the midst of the socio-economic, legal and political system that directly or indirectly affects the formation of human behavior.

3.1.3 Character Education in Islamic Thought

Character is a unique behavior inherent in a person based on moral values about right and wrong as well as good and bad in relationships with oneself and others. Such behavior. Character education must therefore be based on moral values that serve as a benchmark for behavior.

Spiritually, religion as a source of values provides a set of religious values that serve as a moral benchmark for the formation of behavior. As part of the process of building Indonesian human character. Religious education functions as character education based on religious moral values. Character education based on moral values According to Santrock, it includes three aspects: 1) aspects of knowledge and thoughts (thoughts) about moral values; 2) aspects of moral feeling (moral feeling), which is depicted from feeling happy or not happy when doing certain behaviors related to moral rules, right and wrong, good and bad; and 3) aspects of action (moral action, behavior) namely actions or actions carried out based on certain moral values.

At this point, education for character building, it is also necessary to pay attention to the learning domain of Benjamin Bloom (1956) which includes the cognitive domain in the form of mental activities to obtain knowledge and information; activities to remember and understand knowledge; perform analysis and synthesis and provide an assessment, related to feelings and values that encourage the emergence of attitudes such as happy and unhappy, agree and disagree; as well as tendencies and partiality. third, psychomotor domain which includes skills, actions and deeds. Religious education which aims to instill religious moral val-

ues and function in the formation of character covering the three domains.

In fact, Thomas Lickona specifically describes the components of positive character, as does Santrock's concept, which includes three components: moral knowing (moral knowledge); moral feeling (moral feelings); and moral action (moral action). The three moral components are the main pillars of character formation which can be described as follows; the first component of moral knowledge (moral knowing) includes: moral awareness; knowledge and meaning of moral values; ability to put oneself in the position of others; understanding of moral reasons such as why something is right or wrong, good or bad; understanding of oneself, or conscience, self-esteem, positive self-assessment that can keep away from wrong actions; empathy; loving kindness; self-control; feeling humiliated when doing bad deeds that are not in accordance with moral values.

From Lickona's moral concept, it is emphasized that positive character in individuals is formed based on the three moral components which are also the pillars of the character. Therefore, character education needs to be directed at strengthening the three pillars of character, which not only emphasizes knowledge about the values of right and wrong, but is also able to instill meaning in values in the context of the empirical reality of human behavior, thereby fostering the impetus to act and behave in line with the moral values that grow within him (the ability and willingness to act according to the rules of values). takes place repeatedly will give birth to a habit (habit) which then becomes a permanent behavior that forms character.

The basic and important question for us is: How does character education take place in the view of Islamic thought including *aqidah*, worship and *muamalah* as well as *akhlaqul karimah*. *Aqidah* is a commitment born of belief in God the creator who is the basis for the purpose and orientation of human life. That is, all deeds and actions Humans are completely oriented only to Allah and therefore must be in line with His guidelines. Allah's guidelines in the Qur'an contain the values of Islamic teachings about right and wrong to become the standard of Muslim life behavior. In line with that, character building in Islamic thought departs from the concept of *fitrah*, that humans are born with natural potential, namely the potential created by Allah in humans with a tendency to divine truth and virtue. in the letter *Ar Rum* Verse 30 "So face your face straight to the religion (Islam), according to the nature of Allah because He has created.

While lust is the potential of the human soul which is marked by the existence of desire, urge, motivation, and lust, all of which function as a driving force for humans to fulfill their needs; while the potential of conscience (*qalbun-fuad*) serves to provide inner signals so that humans can make choices of actions that are good for them. right so that nature can continue to be maintained. It is reason and conscience that function to guide humans in making moral choices for the actions they will take. Often the function of conscience is faced with unstoppable impulses and desires. If the function of conscience in maintaining human nature is defeated by impetus and unstoppable desire, then that's when humans carry out acts that are excessive and result in damage or destruction for themselves as well as for others and the environment.

The function of conscience when viewed according to Lickona's moral concept is related to the moral feeling com-

ponent, which is characterized by essential awareness in humans which, among other things, appear in the form of inner signals in response to the choice of actions they take. which hurts others, will be responded internally in the form of rejection from within, namely the emergence of feelings of guilt and discomfort for vile words that hurt others. Rejection from within oneself for wrong actions is a form of inner signal related to the function of conscience for the maintenance of human nature. when the inner response is ignored and the neglect continues continuously, then that's when the function of conscience in maintaining human nature becomes dull and causes humans to take actions outside the corridor of divine truth. carried out in developing all human potential to be able to function proportionally requires stimulation so that the potential for nature in him is maintained.

Religious stimulation from religious teachings originating from God's revelation-as munaalah nature- functions as a guide for human behavior and actions.

A further question, in which direction is Indonesian human character education carried out? What values are the basis for ideal behavior and at the same time become the strength of the mentality of Indonesian people? If it is associated with the tendency of negative and destructive behavior which has recently developed widely in society by ignoring the principles and rules of morality, then the primacy values that are internalized through character education need to be directed at the formation of the resilience of morality and mentality of Indonesian people in order to improve these negative behaviors and toughness. manage challenges for Indonesia's progress.

In this case, it can be seen from the mandate of Law No. 20 of 2003 concerning the National Education System for the purpose of national education, the ideal character of Indonesian human beings, namely humans who have faith, piety, and character from so on. The following qualifications are: Humans whose nature is maintained, namely driven to behave well and stay away from disgraceful behavior in order to behave well and stay away from disgraceful behavior in order to gain the pleasure of Allah SWT; Have awareness and sensitivity of conscience (conscience); Responsible; Honest and trustworthy, as a form of Trust; able to control oneself; empathize with others; not hypocritical or self-integrity (one word and deed); Appreciate work; focus and have the fighting power in achieving goals; and care for others.

The qualifications stated above are tools to be poured into the soft skill aspects of individual behavior and collective behavior in relation to other people in their environment. Where should we start education to shape human character with the above qualifications? Character education needs to start at an early age in all educational environments, namely family, school, friend-ship environment in the community. The interaction with the educational environment provides stimulation for the formation of behavior, either positive or otherwise.

3.1.4 Education Management in the New Era

As far as we see and know that all developed countries put the education sector as an elementary thing in the life of the state. Let's say Tony Blair, British prime minister from 1997 to 2007, is widely known for his political theme: "Education, Education, Education".

Likewise, US President Barrack Obama, made education a political priority. In the first period of his leadership, 2008-2012, he perfected the "No Child Left Behind" education policy or no child should be left behind, by fixing the evaluation system for student learning outcomes. by increasing the standard of student academic skills, including the ability of students to conduct research, use technology, engage in scientific studies, problem solving, and the ability to communicate effectively (In'am & Latipun, 2020).

The essence of Blair and Obama's political priorities in improving education, in my opinion, is actually focused on increasing the professional competence of teachers with an even number and distribution. Apparently, these two things have not received serious attention from the government (In'am & Latipun, 2020). As a result, there are now various disorientations (wrong directions) in the management of teachers who demand immediate improvement.

The World Bank study (2013) shows that the teacher certification program organized by the Ministry of Education and Culture over the last few years has not had an impact on improving the quality of national education. In fact, its implementation has drained about two-thirds of the total education budget which reached 20 percent of the National Budget, in 2010 For example, the cost of certification is Rp. 110 trillion.

With basic assumptions, the World Bank was obtained after researching since 2009 in 240 public elementary schools and 120 junior high schools throughout Indonesia, involving 39,531 students. English is compared. As a result, there is no effect of the teacher certification program on student learning outcomes, both elementary and junior high schools. Likewise, the level of knowledge and mastery of the material taught between certified and uncertified teachers, also the results are relatively the same.

Further disorientation, a UNESCO study (UIS-2009) shows, for elementary school, the teacher- student ratio is 1:16.61, which means a teacher only teaches 16-17 students. This ratio is much lower than Japan (18.05), England (18.27), even Singapore (17.44) internationally, the worldwide average ratio is 1:27.7 or a teacher with 27-28 students.

The same condition also occurs at the secondary education level. The 2009/2010 schooling statistics show that 48.8 percent of SMP and 47.2 percent of SMA/SMK in Tanagh Air have less than 180 students per school. If the international average ratio is used Each school only needs 6-7 teachers. If the total number of elementary-high school students is 55.21 million (BPS, 2012) then only 1.97 million teachers are needed.

Thus, if the current total number of teachers is around 2.92 million, then there is an excess of about one million teachers. However, due to the absence of a comprehensive concept and mechanism for managing and distributing teachers, the abundant number of teachers has no impact on improving the quality of education (Abbas, 2012).

By referring to the mandate of Law No. 14/2005 concerning Teachers and Lecturers, it seems that the SBY-Boediono Leadership 2009-2014 has not prioritized the implementation of the mandate of Article 24 paragraph (1) of the Law, which states: "The government is obliged to meet the needs of teachers, both in number and qualifications. academically, as well as in competence equally to ensure the continuity of the early childhood education unit through formal education and to ensure the continuity of

primary and secondary education organized by the government”.

The government's obligation to fix the problem of teacher training seems to have been displaced by its own new priority to curriculum changes whose level of urgency is still debated by many parties.

It seems that it has not succeeded in understanding the implementation of the mandate of Article 31 Paragraph (4) of the 1945 Constitution which states: "The state prioritizes the education budget at least twenty percent of the regional revenue and expenditure budget to meet the needs of national education implementation”.

With this mandate, the current cabinet immediately spent it on teacher certification fees which were considered a total failure by the World Bank. Or, was it because the large budget was immediately used for impromptu projects to revamp the curriculum, and so on, the wider community longed for the birth of education financing policies that are truly aspirational, participatory, and comprehensive for the will of education (Asshiddiqie, 2017).

Curiosity by facilitating the process of experimentation, collecting data, and formulating conclusions. The “wildness” of imagination by allowing nature to develop into a teacher. Structured teaching programs on a rote basis can control imagination.

Critical thinking (critical thinking) as the lamp of life. To be able to navigate the new era of life, with a variety of conflicting ideas, competing claims, misinformation, negative news and lies, learning to think critically can help navigate trials and challenges. That all trials and dreams it requires tenacity for long-term struggle. Schools can facilitate the development of this determination through competitions in the spirit of collaboration as well as with narratives of well-known figures who are able to rise from adversity and adversity (Usman, 2019).

3.2 Respect for Human Rights

3.2.1 Assessing Human Rights Policy

Indonesia has been in the process of becoming a more democratic legal state, as well as growing with a better civilization of human rights after Suharto's military authoritarian regime. 1945 Constitution of the Republic of Indonesia (UUD 1945). These articles are actually markers of the direction of change in our civilization which is more appreciative of human rights values in the life of the nation and state. In the context of political euphoria, human rights are marked by the confirmation of a number of human rights laws. Efforts to form law and at the same time ratify a number of provisions of international human rights law, of course with a political commitment to human rights, which can be read from the debate about what is materialized in the articles of the legislation.

At the level of legislation, the enactment of Law (UU) No. 39 of 1999 on Human Rights reflects the debate on how Indonesia can build a human rights legal system that is more secure for its citizens. the enactment of Law no. 26 of 2000 concerning the Human Rights Court, actually reflects the opposite situation, strongly influenced by the politics of impunity compared to efforts to advance to end it, as well as being a diplomatic message in Indonesian human rights politics to the international world about its performance and commitment in resolving cases of crimes against humanity in East Leste at that time. As we have seen in its

development, the human rights court ultimately only treats impunity rather than dismantling the veil and legal accountability for human rights crimes (Indonesia, 2004).

In addition, a number of ratifications of international legal treaties in the field of human rights were carried out, including two important covenants, the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on civil and political Rights (ICCPR), in 2015 through Law no. 11 and 12 of 2015. Previously, the government and the DPR had ratified two important conventions, namely the Thr convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (articulated by Cruel, Inhuman of Degrading Treatment or Punishment 9 ratified through Law No. 5 of 1998) and The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) (Ratified through Law No. 29 of 1999). Of course, such legislation oversees the legal reform process that pays more respect to human rights, especially since the legal provisions make Indonesia as part of human civilization that follows global developments regarding the recognition and protection of laws related to human rights.

That is why, the state must be able to put state policies in the context of human rights responsibilities, including implementation efforts through the RANHAM. the identified human rights (Tillar, 1995).

Therefore, discussing RANHAM is not only a matter of indicators, especially the human rights celebrities displayed in the City Cares for Human Rights, which is seen as talkative and regular from year to year. which staged the 'success' of development projects, as the Vienna Conference referenced also became a milestone for the right to development.

As emphasized in paragraph 8, that democracy for development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing concepts. In addition, paragraph 10 emphasizes the recognition of the right to development as a universal and inalienable right and an integral part of human rights. The implementation of the right to development also requires an appropriate development strategy in order to better promote and protect the human rights of every citizen.

The framework of the sustainable development goals or SDGs, it is also necessary to consider the reference, in particular to the 2030 agenda, in which States must explicitly reaffirm their commitment to international law and emphasize that the sustainable development agenda must be implemented in a manner consistent with the rights and obligations of States. country under international law (Tomashevski, 2004).

3.2.2 The Meaning of Human Rights in Development

The human rights that were fought for in Indonesia both before and after independence were reflected in the great thoughts of the founding figures of this republic. Proclaimer Bung Hatta, for example, in his speech “Paddling between Two Corals”, which was delivered before the Central National Committee Working Body in Yogyakarta on September 2, 1948 (Wiratraman, 2019). Hatta keenly grasped the potential for internal conflicts between elite groups after the approval of Linggarjati and Renville.

With this perspective, Bung Hatta further painted a map of world polarization, there is the first world, there is the second world and there is the third world. Similar to

the polarization pattern of ant life in Ilya's view: it is really great that God has made everything not in vain, we actually learn from the life of ants.

This polarization brought political resonance throughout the world at the 1955 Asia-Africa Summit in Bandung which gave birth to the Dasa Sila Bandung. The first world is the capitalist countries, and the second world is the socialist world. In Bung Hatta's view, Indonesia was rowing between the two poles, there was no contradiction between the two, but rather picked up positive values from the first world and also took positive ones from the second world. That is actually what crystallizes in the frame of the five precepts of Pancasila. The path we take is the third, neither the first nor the second (Latif, 2019).

The principle of just and civilized humanity, for example, has a deeper meaning than human rights, because what is highlighted is the promotion of human dignity which is based on a balance between rights and obligations, and the balance of individual and group interests (Hidayat, 2013). Meanwhile, human rights can only be fulfilled if human rights are also fulfilled. The real spirit is the rights to development which was just declared by the United Nations in 1986.

This understanding of human rights is defined as a set of rights inherent in the nature of human existence as God's creatures and is His gift that must be respected, upheld and protected by the state, law, government, and everyone for the sake of honor and protection of human dignity (Djamas, 2016). Therefore, human rights-based education in its implementation as developed by UNESCO (Tomasevski, 2004), is to integrate universal human rights values into the entire process of planning, policy making, and implementation of education that takes place at all levels and types of pathways (Mursitama, 2016). through the availability of educational facilities and infrastructure.

Once again, we would like to add one important dimension, namely the assessability of education. Experience throughout the first century of national awakening, it turns out that national education is often managed without being based on justification, scientific studies, assessments based on accurate data. The implication of all this is that education is often not rooted in society, and is not even based on human rights values, so that we lose meaning for the rise of the nation.

Thus, the milestones in the long journey of the first 100 years of the era of national awakening were actually based on the spirit of universalism of human rights. With these milestones, an educated generation was born who was able to free the nation from the shackles of colonialism, and a middle class group of people was born who opened the gates of democracy. These historical milestones have supported our existence as a nation for the past century. Let's look to the future, whether we will still exist or not in this era of national awakening of the second century.

4. CONCLUSION

Finally, with the long description above, allow us both to draw the following conclusions:

First, the issue of education and human rights has long been a study (concern) within the framework of lifelong education, for sustainable development. These aspects are central and important in the framework of sustainable development. In this dimension, the rise of our nation which

has been in a continuous process with all the dynamics of ups and downs of its long history of struggle needs to be studied/examined from the two important dimensions, education and human rights.

Second, as part of the struggle against ignorance and backwardness, since the Boedi Oetomo generation, it has been contained in its articles of association which emphasizes the need for educational efforts in the broadest sense, and upholds human ideals. Therefore, as a mandate, it must continue to mobilize the entire potential of the nation through human rights-based education.

Third, schools are formal educational institutions that almost everyone wants to be able to realize their dreams. Therefore, all this time, schools through the curriculum have tried to fulfill these dreams by providing a variety of knowledge. For this reason, it is necessary to develop a strong education so that it is able to give priority to rights-based education for vulnerable groups, the poor, for the realization of education for all.

Fourth, by using the perspective of the dimensions of human rights-based education, Indonesia's educational development is already on the right track towards a developed country. Various encouraging trends include: expansion of access to education at all levels, wider types and pathways, improvement of indicators of good governance, especially in the fight against corruption. All of these are important indicators for the revival of human rights-based education development.

Fifth, the facts and moral problems presented in this paper are expected to be an option in managing future development steps. In this case, designing an education development agenda that begins with improving the rights inherent in human beings, as the main actor determining the nation's future journey.

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