

## PROBLEMS OF THE TEACHER PROFESSION IN INDONESIA (REVIEW FROM THE PERSPECTIVE OF LAW NUMBER 14 OF 2005)

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### ABSTRACT

*The Teacher profession is carried out through planning, implementing and evaluating learning. Teachers are called professionals if they are able to carry out learning properly and correctly which is shown by the skills to carry out learning techniques, methods, approaches and strategies properly and correctly. Every hour of learning The teacher must be in the school, if at the time of school hours being outside the school without justifiable reasons is categorized as having committed a violation of the teaching profession. The purpose of this study is to determine the problems of the teacher profession in Indonesia. By using the PTK research method carried out in schools. The results obtained are that the professional responsibility of teachers is carried out through planning, implementing and evaluating learning in schools. Consequently, therefore teachers must have a variety of knowledge and skills and have a sense of security and comfort in carrying out their professional duties.*

**KEYWORDS** *sustainability, ethical and philosophical education, school of philosophy, ISO 26000, governance and curriculum*



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### INTRODUCTION

Education is an open system, meaning that education has a very significant role in realizing the quality of life of a nation. The progress of a nation starts from how much education can be or is given the opportunity to play a role in fostering, guiding and producing a superior and competitive cadre of the nation's cadres (Wibowo, 2020).

The success of education is determined by several aspects, one of which is educators (teachers). Judging from their duties and authorities, Teachers have a very big role in producing the quality of graduates. Teachers and The quality of

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education graduates have a causality relationship. That is, the higher the quality of the teacher profession, the higher the opportunity to produce the quality of graduates, on the contrary, the lower the quality of the teacher profession, the farther the hope of realizing the quality of education graduates (Indonesia, 2020).

The profession of teacher is a unique, comprehensive and mutlaq profession. It is said to be unique because the way the teacher's profession works cannot necessarily be equated with other professions, especially those related to the method of delivering material in learning (Hardiansyah & Khisni, 2018). It is called comprehensive, because in carrying out their professional duties, teachers cannot only be carried out internally by themselves and their institutions (schools), but must involve many other elements outside of themselves, such as family (parents), society, social organizations, companies and other users of educational services. Categorized as mutlaq, because the teacher profession is the fulcrum of the hopes of all parties, it does not even hesitate to become a "scapegoat" if there are failures or mistakes that befall students (Chauhan et al., 2019).

Teacher professional development starts from the ability to plan, implement and evaluate the learning process in schools. Diaspek in social life is more determined by the quality of education. Teachers must really feel safe and comfortable in carrying out their professional duties. Teachers are often referred to as unsung heroes, but formal and material rewards cannot yet be felt in a real and optimal way. It seems that the teacher is only given a motto that will result in lulling the teacher in carrying out his professional duties (Wardan, 2019).

The foundation for developing the Teacher profession has existed since 2005, namely Undnag Law Number 14 of 2005 concerning Teachers and Lecturers (Dewi, 2015). The Law is used as the main reference for teachers in carrying out their duties and professions. The enactment of the Law on Teachers and Lecturers since 2005 is expected to be able to motivate teachers in carrying out the tuag optimally so as to be able to produce quality graduates who have intellectual (cognitive) qualities, quality of personality attitudes (affective) and quality of physical / mechanical skills (psychomotor) (Muchith, 2016).

There are still many social realities that do not correspond to the value of educational values and messages (Syarnubi, 2019). Human attitudes and behaviors that are not in accordance with the dignity of human beings such as committing violence, murder, sexual harassment, corruption, drugs, berating, slandering, spreading false news and others. Within the scope of the school, many parents of students report teachers to law enforcement officials because they are considered violent /criminal, not a few students are brave and have the heart to persecute their teachers only because the root is not clear (Lubis, 2012).

The results of the survey of M. Saekan Muchith in the Book Students in (Danger et al., 2013), explained that 69% of students agreed to report teachers to law enforcement if their actions were considered part of the violence. As a result of all this, teachers will not dare to be optimal in carrying out their professional duties, because there are concerns or fears that speech and actions even though they are intended to educate have criminal consequences. Further implications, teachers in carrying out the duties of their profession become indifferent or ignorant with the

attitudes and behaviors of their students. Teachers are looking to be safe only (Hadi et al., 2018).

Objective reality shows that teachers in developing their profession still have a number of problems or obstacles ranging from obstacles that arise from within (internal) and deepness that arise from outside the external). The problems of teachers in developing the profession need to be clearly known in order to provide the right alternative solutions (Hidayat, 2019).

Until 2023, Law Number 14 of 2015 concerning Teachers and Lecturers has been in effect for 18 (eighteen) years. For 18 years, Teachers carry out their professional duties in accordance with the mandate of the Law. However, teachers do not increasingly receive proportional appreciation or appreciation but are often "harassed" by parents and students easily report teachers for allegedly committing criminal acts. What is the real problem of teachers when viewed from Law Number 14 of 2005 (Faisal, 2013).

## **RESEARCH METHOD**

The approach taken in this study is to use techniques literature study from various existing studies which the researcher describes regarding teacher professionalism in teaching. Literature study is an activity looking for several theories from several references that are relevant to the topic of discussion or problem found. Here the researcher uses the type of secondary data which is referred to is the supporting data used sourced from literature and existing references. References in question can be through books, journals, article reports research and various sites on the internet. The purpose of the existence of a literature study is to strengthen the problems found as a theoretical basis in conducting studies. Researchers conducted data analysis by collecting data and information regarding the topic of discussion found as complete as possible and sorting the data which is only in accordance with the context being researched where it will be used as research conclusions

## **RESULT AND DISCUSSION**

Teachers are professional educators with the main task of educating, teaching, guiding, directing, training, assessing and evaluating learners on the early childhood education formal path, primary and secondary education . Lecturers are professional educators and scientists with the main task of transforming, developing and disseminating science, technology and art through education, research and community service (Law Number 14 of 2005, article 1 paragraphs 1 and 2).

Teachers and lecturers although they have the same similarities, namely the same as professional educators, but when viewed from the main task, they have very sharp differences. Teachers' scope of work is limited to formal education (schools) in early childhood education, basic education (MI / SD / MTS / SMP) and menengah education (MA / SMA / SMK) which are shown by the actions of educating, teaching, guiding, training, evaluating and assessing. Consequently, teachers should concentrate more on carrying out learning tasks in formal schools only. Activities other than the learning process in formal schools are not his duties and

responsibilities such as doing community service and developing science in public forums.

The ideal teacher is the one who is diligent and disciplined in conducting learning in school is shown by the skills of compiling lesson plans, carrying out learning and conducting learning evaluations. Every hour of learning must be in school, if during school hours it takes place outside the school then it can be evidence of a violation of the duties and responsibilities of the profession.

Law Number 14 of 2005 explains that at least teachers must carry out 24 hours face-to-face and as many as 40 hours face-to-face in one week (Article 35 paragraph 2). This illustrates that the teacher's time is spent carrying out the learning and educational process in schools. Teachers are not obliged to carry out activities that are in contact with activities in the community.

Unlike lecturers, although the same as professional educators, lecturers other than professional educators are also referred to as scientists with the main task of transforming, developing and disseminating science, technology and environment through education, research and community service.

Lecturers have a very wide scope not only in formal education (campus) but also in the realities of community life. This means that lecturers are not only in charge of guiding and training their students but must also be able to disseminate knowledge with various media both through lectures (education / teaching) as well as through research and community service. Consequently, lecturers cannot be required always on campus to carry out lectures with students, if that is all that is carried out, research and service tasks become less than optimal.

In addition to conducting lectures with students, lecturers must also disseminate and develop knowledge through seminars, discussions, book publishing, research and publishing research results. This is where the main difference between teachers and lecturers comes in.

Teachers are required to have four competencies consisting of personality competence, social competence, pedagogical competence and professional competence. These competencies must be known, understood and implemented by teachers in carrying out their duties and functions so that teachers can still be said to be professional educators.

(Safitri et al., 2019) A teacher is a person who has devoted himself to teaching science, educating, directing and training to understand the knowledge of learning taught. This understanding, contains the meaning that the teacher focuses more on the role of science and personality, in the sense that the teacher must be able to guide his students to become smart, intelligent and personal.

(Saekan et al., 2022) in Characteristics of PAI Learning, said that Teachers as a profession should be more concerned with service than material acquisition or appreciation, therefore teachers must be able to withstand the "temptations" of material that arise from various aspects of life. Consequently, teachers must always develop and maintain in carrying out their duties and responsibilities.

### **Teacher Reality**

(Wardan, 2019), in "Teacher as a Profession" said that Teachers are always faced with many problems both related to themselves as educators and as human beings. As educators, they are faced with the problem of instilling knowledge and

values towards maturity for students. Teachers are required to always carry out optimal self-development. On the other hand, teachers as human beings are faced with problems such as low knowledge possessed, many moral deteriorations, low competence, demands for curriculum change or development, which consumes a lot of energy for teachers.

The reality of people's lives has not been much in favor of the happiness of teachers in carrying out their professional duties. There are still many social realities that often undermine the teacher profession, including:

First, vocational school teachers in Central Jakarta were reported to law enforcement officials by parents of students for allegedly molesting their children. SMK teachers kicked and beat their students because they were considered to be doing harm to their juniors. (Tempo.com August 14, 2022 news headline "Teacher Reported to Police Molesting SMK Students, Accusing Students of Being Involved in Fraud").

Second, high school teachers in the South Sulawesi region were harassed by the police because they were considered to have pinched their students. When the teacher carried out the learning of the Entrepreneurship course, one of the students played a judge, then pinched. Pinched by the teacher, the student did not accept and reported to law enforcement officials (Kompas.com. December 1, 2017, News headline "Because of Pinching a Student Who Played HP, A Teacher Reported to the Police).

Third, junior high school teachers in Bojonegoro were reported to law enforcement officials for allegedly committing violence against their students. The teacher was violent by pulling the student's ear, and slapping the student in the face. This was done by junior high school teachers because at the time of the cellphone raid, there were students who brought cellphones. The school has made a policy, all students are prohibited from carrying cellphones during learning. (Bojonegoro News, December 16, 2022, News headline "Suspected of Violence, Teachers in Bojonegoro Reported Students to the Police")

Fourth, An elementary school teacher in Gresik was policed by his parents. An elementary school teacher was reported to the police for allegedly slapping his student 4 times. (Detikjatim.com, October 20, 2022, News Headline "Allegedly Slaps Student 4 Times, Elementary School Teacher in Gresik Policed").

Fifth, high school teachers in Jakarta were reported to the police for allegedly committing SARA actions because they invited them to choose a student council that was as religious as possible. (CNN Indonesia, November 5, 2020, News Headline "DKI Disdik Disappointed Teacher of SMAN 58 Jakarta Reported to Police").

In addition to the phenomenon of reporting teachers to law enforcement officials, there are also many phenomena about student delinquency such as brawls between students. M. Saekan Muchith, the results of a survey published in M.'s book entitled *Students in* (Danger et al., 2013), explained that the occurrence of brawls between students was caused by 51%, because there were people who gave encouragement (provocateurs), 18% were caused by an education system that emphasized the intellectual aspect rather than the personality attitude aspect.



### Teacher Profession Problem

Problems must be owned by everyone, including teachers in carrying out their professional duties. (Muchith, 2016) in the book "Curriculum Development Based on Religious Moderation", explains that problem means the gap between what is planned or aspired to and what is obtained. If the man plans to get a result of 3 then only gets 1 or 2 then that is a problem.

The problem of the teacher profession is a gap in expectations and realities related to the duties and responsibilities of the Teacher profession which includes planning, implementing and evaluating learning. Gaps occur because there is something that hinders or hinders both those from within him (internal) and from outside himself (external). There are 3 (three) types that can be an obstacle to the realization of the success of a job, including the work of the teacher profession.

First, the nature and perception of a job. Any work if perceived as difficult will be difficult and the results will be bad. Bad perception arises because of laziness or uninspired work on something. This can happen to the Master, for some reason, the Master can be lazy to carry out the duties of his profession.

Second, The level of difficulty that the job has. Each type of work has its own level of difficulty. The success rate of jobs that have a higher difficulty is heavier than jobs with a small or low level of difficulty.

Third, there are regulations that make a job difficult to carry out. This type of work or profession requires rules as a legal basis in carrying out its duties. The teaching profession has several regulations, one of which is Law Number 14 of 2005 concerning Teachers and Lecturers. The actual rules are to make it easier for teachers to carry out their professional duties, but it can be said that legislation can hinder the process of developing the teacher's profession.

Law number 14 of 2005 article 39 explains "The government, local governments, communities, professional organizations and/or educational units are required to provide protection to teachers. The protection as referred to in paragraph (1) includes legal protection, professional protection and protection of occupational safety and health. Legal protection as referred to in paragraph (2) includes legal protection against acts of violence, threats, discriminatory treatment, intimidation or mistreatment on the part of students, parents of students, the community, bureaucracy or other parties. Professional protection as referred to in paragraph (2) includes protection against termination of employment that is not in accordance with laws and regulations, provision of unreasonable rewards, restrictions on the delivery of views, harassment of the profession and other restrictions / prohibitions that may hinder teachers from carrying out their duties. Occupational safety protection as referred to in paragraph (2) includes protection against the risk of security disturbances, work accidents, work time fires, natural disasters, occupational environmental health and/or other risks. (Verses 1-5).

Law Number 14 of 2005 has given a complete and detailed mandate on the protection of the Teacher profession. With article 39 paragraphs 1 to 5 the teacher will become a noble profession, comfortable in carrying out daily duties. What is carried out and any risks resulting from the performance of duties are not personal responsibility but rather the responsibility of the institution or the state. When the teacher is carrying out his professional duties, is carrying out the learning process

or behavior related to learning, anyone cannot easily report to law enforcement officials before the ethics board carries out the task of checking with its own provisions.

The profession of Teacher in the state of ideality is very honorable and noble but in the state of reality it is very sad. Why? The profession of teacher is still a lot of pressure or shadow of threats when carrying out the duties of the profession. There are at least two things that create pressure or threats to teachers while carrying out their professional duties;

First, not a few teachers are always in a position to blame when something is unpleasant. The quality of the school is poor, the teacher is blamed, there are students who are fighting teachers who are "scapegoats", students who are lazy to study are considered teachers not working hard, students are naughty because the teachers are not resourceful, students are passively said that the teachers are not creative. It is very unfair that all irregularities in students are always teachers who are "targets of gunfire". Teachers can be blamed as long as there are justifiable facts to blame.

Second, not a few teachers are considered to have made mistakes while carrying out their professional duties through legal channels, namely reporting to the authorities with allegations of criminal violations. For example, there are teachers when educating there are words that can be interpreted as a form of intimidation, defamation, humiliation and also there are actions that are considered persecution so that they are quickly resolved through criminal law channels. Even though teachers do all that not necessarily based on motives to break the law but purely aimed at educating mentally so that students have a good personality attitude. Whatever the reason, events that occur while carrying out professional duties should not necessarily be resolved through criminal law channels unless the event occurs outside the time of carrying out professional duties or outside of learning or school time.

D.A. Malik (2019: 7), in "Should Teachers Be Protected: A review of No Criminals Without Error, explains that recently there have been several attempts at teacher punishment caused by parents of students objecting to the sanctions imposed by teachers. An example of a case in Sidorarjo, a teacher named Sambudi in Balong Bendo Sidoarjo, East Java, was reported by law enforcement for pinching his students who were not hanging out on sungei during congregational prayers. Dasrul Guru SMK in Makasar was molested by the parents of the students, who did not accept that their children were beaten and told to leave during the learning process. In Majalengka, West Java, one of the parents of a student named Ivan was reported to have intimidated an elementary school honorary teacher for poking his student's hair which was considered long.

The results of the survey of M. Saekan Muchith in the book students in (Danger et al., 2013), explained that 69% of students agreed to report teachers to law enforcement if their actions were considered part of the violence. As a result of all this, teachers will not dare to be optimal in carrying out their professional duties, because there are concerns or fears that speech and actions even though they are intended to educate have criminal consequences. Further implications, teachers in carrying out the duties of their profession become indifferent or ignorant with the attitudes and behaviors of their students. Teachers are looking to be safe only.

How many social facts cause the teacher's performance is not optimal because you can imagine the shadow of criminal threats when carrying out professional duties as a teacher. Factors causing the poor teacher profession and even the failure of teachers in carrying out their duties because teachers have not received protection as mandated by Law Number 14 of 2005. Teacher protection is only at the normative level, while the implementation of Undang-Undang order number 14 of 2005 has not been implemented. The government and education units have not been able to protect the teacher profession from physical and non-physical threats. The solution to make the teacher profession more optimal in carrying out the tuags of the profession must be immediately enforced by a law or government regulation on the protection of the teacher profession.

### CONCLUSION

The duties and responsibilities of the teacher profession are carried out through planning, implementing and evaluating learning in schools. Consequently, therefore teachers must have a variety of knowledge and skills and have a sense of security and comfort in carrying out their professional duties.

Reality shows, Teachers in carrying out their duties, have not felt comfortable and cannot be optimal because they are still in the shadow of criminal threats carried out both by the parents of students, the students themselves, the community and other organizations or institutions. This reality causes the implementation and professional development of teachers to be hampered and unkind.

From the perspective of Law Number 14 of 2005, the factors causing the suboptimal teacher profession and even the failure of teachers in carrying out their duties because teachers do not feel safe and comfortable due to article 39 paragraph 1/d5 has not been implemented or has not been realized by the government, professional organizations and education units.

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