

STATE-RELIGION RELATIONS AND THE POLITICS OF LAW-MAKING: A COMPARATIVE STUDY OF PKB IN INDONESIA AND BJP IN INDIA

A Thesis

**Submitted to the master's Study Program of Political Science at the Faculty of
Social Sciences in partial fulfillment of the requirements for the degree of**

Master of Arts (M.A.)



By:

Muhammad Maulidan

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UNIVERSITAS ISLAM INTERNASIONAL INDONESIA

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ABSTRACT

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This study compares two religious-based policy in political parties—the National Awakening Party (PKB) in Indonesia and the Bharatiya Janata Party (BJP) in India—in promoting education policies based on ideological values. Despite their differing political positions, PKB successfully enacted the Pesantren Law as state regulation, while BJP failed to institutionalize the National Education Policy (NEP) as national legislation. Using a comparative case study design and the Most Similar System Design (MSSD) approach, this study tests two main hypotheses: first, that legislative success depends on a party's ability to build cross-party political consensus; second, that the value gap between policy and constitution determines the level of resistance to that policy. The findings show that the PKB's success was driven by an inclusive consensus strategy and the proximity of the policy's substance to the fundamental principles of the Indonesian constitution. Conversely, the BJP's failure was caused by the absence of a deliberative process and the substance of the policy conflicting with the values of secularism and federalism in the Indian constitution. This research contributes theoretically to the study of ideological policy in pluralistic democratic systems and practically provides strategic insights for political parties in designing value-based policies within constitutional boundaries.

Keywords: Political consensus, value gap, religious-based-policy, PKB, and BJP

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GLOSSARY

Aswaja	: An abbreviation of Ahlussunnah wal Jama'ah, the moderate Islamic creed embraced by NU.
BJP	: A Hindu nationalist political party in India; stands for Bharatiya Janata Party.
Da'wah	: The act of spreading Islamic teachings to the public.
Hindutva	: An ideology of Hindu nationalism underlying BJP and RSS politics.
Indianize	: An effort to reconstruct India's national identity based on local values.
<i>Kitab Kuning</i>	: Classical Islamic texts in Arabic traditionally taught in pesantren.
Kyai	: The religious leader or head teacher of a pesantren with spiritual authority.
Lima Team	: The founding team of PKB formed by NU after the 1998 reform era.
Majelis Masyayikh	: An independent council overseeing pesantren curriculum and quality.
Pancasila	: The five foundational principles of the Indonesian state ideology.
PBNU	: Pengurus Besar Nahdlatul Ulama, the executive board of Indonesia's largest Islamic organization.
Pesantren	: Traditional Islamic boarding schools in Indonesia.
PKB	: An Islamic-based political party founded by NU; stands for Partai Kebangkitan Bangsa.

- Ruh'ul Mahad : The spiritual ethos of pesantren, such as sincerity, modesty, and independence.
- Santri : Students who study in a pesantren.
- Saffronization : The ideological infusion of Hindu values into state institutions and public policies in India.

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CHAPTER I

INTRODUCTION

1.1 Research Problem

Indonesia and India present two very contrasting experiences in the efforts of religious-based political parties to promote education policies that reflect their ideological orientation. In Indonesia, the National Awakening Party (PKB) successfully passed the Pesantren Law in 2019, which granted legal recognition to pesantren as a legitimate part of the national education system. The achievement occurred despite PKB's limited parliamentary strength and its position as a mid-sized party without dominant political power. In contrast, in India, the Bharatiya Janata Party (BJP), despite holding dominant political power as the ruling party, has failed to incorporate its Hindutva agenda into the formal national education policy. The contrast between these two experiences opens up an intriguing discussion on how consensus strategies and the normative position of a policy toward a nation's constitution can explain variations in the success or failure of value-based policy legislation.

The establishment of PKB was driven by a growing demand within Nahdlatul Ulama (NU) circles for a political vehicle that could translate the organization's cultural and religious aspirations into practical politics. To achieve this, Abdurrahman Wahid (Gus Dur), who at the time was the chairman of PBNU for the period 1984-1999, directed several actors who were later referred to as the Five Team, chaired by K.H. Ma'ruf Amin and consisting of K.H. Dawam Anwar, K.H. Said Aqil Siroj, K.H. Rozy Munir, and K.H. Ahmad Bagdja (PKB, 2018). The National Awakening Party (PKB) was declared on July 23, 1998, in Jakarta at the residence of Abdurrahman Wahid (Gus Dur) in Ciganjur, Jakarta, with the party principle of Pancasila (Five Pillars) and the principle of *ahlusunnahwaljama'ah* (Kamarudin, 2013).

In the context of Indonesia's political landscape, the PKB, with its voter base drawn from traditional Islamic groups, secured approximately 13,336,982 votes in the 1999 elections, enabling the party to secure 51 seats in the Indonesian House of Representatives (DPR). The PKB continued to achieve positive results in subsequent elections, but by mid-2009, the party saw a significant decline, securing only around 5,145,122 votes and 28 seats in the DPR. Upon analysis, the decline of the PKB can be attributed to the creation of intra-party conflicts that occurred between 2001 and 2008, with three main conflicts: the conflict between Matori Abdul Jalil and Alwi Shihab, the conflict between Alwi Shihab and Choirul Anam, and the most prolonged conflict between Muhaimin Iskandar and Abdurrahman Wahid. Indirectly, this dualism conflict significantly reduced PKB's votes

(Dhakhiri & Djafar, 2015). In general, the transformation of the PKB in elections from 1999 to 2024 shows that the PKB has demonstrated a consistent pattern of alignment with ruling coalitions, positioning itself as a strategic actor within Indonesia's fragmented multiparty democracy. Although in 2004 the PKB experienced internal conflicts and declared its neutrality, this did not mean that the PKB became an opposition party.

On the other hand, the Bharatiya Janata Party (BJP) was established in 1980 as the successor to the Bharatiya Jana Sangh (BJS) party, which was founded by Syama Prasad Mukherjee in 1951 to represent conservative Hindu interests in India. Therefore, the BJP is a reformist party from its predecessor, the BJS, but it was formed to be more cohesive because the BJS previously focused only on preserving Hindu culture and the full integration of Jammu and Kashmir into India, and there were many factional conflicts and high levels of intra-party disputes (Chhibber, 1997). With a series of political dynamics unfolding, the BJP was created to continue the ideas of the BJS with a more specific context. The BJP has a fairly complex dynamic of ups and downs.

First, the rise of Hindutva, or the BJP's ideology defining Indian culture within a Hindu value framework. This was driven by the momentum surrounding the construction of a Hindu temple at the Ayodhya site, which sparked significant political and religious polarization. Second, the INC's conflicts due to corruption scandals, dynastic politics, and the assassination of Rajiv Gandhi (prime minister) strengthened the BJP's position, so that in the 1991 elections, no party won an absolute majority because the BJP won around 120 seats with 20.11% of the vote, making it the main opposition party (Malik & Singh, 1992).

Not only as the successor to BJS, the relationship between the Bharatiya Janata Party (BJP) and the Rashtriya Swayamsevak Sangh (RSS) is very close and more complex than an ordinary political relationship, because the RSS is not just a religious or social organization, but an ideological movement that gave birth to the BJP as its political wing. The RSS is a nationalist Hindu organization founded in 1925, with the aim of strengthening Hindu identity in India. The BJP was born out of the Rashtriya Swayamsevak Sangh through the evolution of Hindu right-wing parties, and is now the largest political party in India with ideological, structural, and operational links to the RSS (Jaffrelot & Schoch, 2021).

The synthesis that can be seen from PKB and BJP is that these two political parties are political parties that describe religious identity as a political party concept. This is because in the history of the establishment, figures, and mass base of these two parties are religious people, namely Muslims and Hindus. Hence, both parties illustrate how religious identity, institutionalized through political platforms, often translates into value-based policy outputs that reflect the normative aspirations of their core constituencies.

In 2019, the Indonesian House of Representatives (DPR) passed Law No. 18/2019 on pesantren. This law was created to recognize, protect, and develop the role of pesantren in the education system and community empowerment in Indonesia. This law means that pesantren can be defined by the presence of kyai (the leader of the pesantren), the *Kitab Kuning* or Traditional Books (Islamic knowledge), there are santri (students) and entities associated with pesantren (NF, 2019). With this law, pesantren with all aspects in it can have a strong legal basis to carry out all their activities and can be equalized with the national education system. The National Awakening Party faction is the initiator of this draft law and always oversees it until it can be passed into a law. As the initiator, PKB also mentioned that this is a gift from PKB for Muslims to strengthen the Islamic education and da'wah system (PKB, 2019). The pesantren law can be understood as providing recognition, affirmation, and facilities to Islamic boarding schools based on their uniqueness or special characteristics. This gives Islamic boarding schools a more special place because the Indonesian national education system, which is regulated by Law 20 of 2003, does not accommodate the aspirations and interests of Islamic boarding schools (Zayadi, 2019). This means that this law will ensure equality between Pesantren education and formal education in Indonesia and expand the scope of the Pesantren law such as equality, and get funding from the central and regional governments both through the Indonesian State Budget (APBN) and the regional budget (APBD) (Tempo, 2023).

This Pesantren law cannot be seen as an attempt to “limit” the Pesantren's room for maneuver. With the Pesantren law and separated from the national education system. Islamic boarding schools have a special place in the development of religious education with their own model and are not bound by the national education system. Therefore, it must be understood that this law is separate from the national education system law and this law makes Islamic boarding schools have their own legal force. In the context of education national systems, Islamic boarding school will have full authority and integrate to national education system and this law will be have implication to national education system with this point:

- a. Islamic boarding schools will be recognized as part of the official national education system, with the aim of strengthening faith-based education in Indonesia.
- b. Academic certificates will be equalized with formal schools, which is expected to open up access for pesantren graduates to higher education and the world of work.
- c. In the context of equity and inclusiveness, the Pesantren Law will streamline the BOS funds provided from national education in order to reduce the gap between formal schools and traditional pesantren.

- d. Pesantren values such as nationalism, independence, and sincerity (*ruh 'ul mahad*) can enrich the national curriculum. This context seeks to strengthen character education between santri in pesantren and students in formal schools.
- e. This law will change the authority of kyai (leader of Pesantren). Due to government intervention, there will be a change in the role of kyai and the institution as the sole leader of the pesantren is reduced due to government intervention through the Majelis Masyayikh (curriculum and quality supervisory body). This creates a risk of losing the “small kingdom” character of the pesantren that has been dependent on the charisma of the Kyai.

Therefore, it can be seen that the Pesantren Law transforms pesantren from independent institutions into an official part of the national education system. The diploma is now recognized as equivalent to public schools, opening the door wider for santri. The government provides funding but also strict supervision, including mandatory Pancasila and curriculum standards. This law has a challenge, which is not to let the new rules actually kill the characteristics of pesantren. Kyai is worried about losing their autonomy, while small pesantren can be overwhelmed by administrative requirements. The key is in the balance - modernization, but not to eliminate the “spirit” of pesantren that have lived in the community for centuries. In the end, this law is like a double-edged knife. It can strengthen national education if implemented wisely, but risks damaging traditions if imposed without consideration of local wisdom (Azzahra, 2020).

Despite creating a new law and seemingly deviating from the “religious and ideological” nature of Indonesia's national education system. Somehow, this law, with its focus on pesantren as faith-based educational institutions, may not be fully aligned with the principles or structures that usually prevail in a more secular or pluralistic national education system. Because the Pesantren law gives special recognition and preferential treatment to pesantren as part of the formal education system. This may be considered different because national education is usually set up to accommodate all forms of education systems in a neutral manner without giving priority to certain institutions based on religion. Therefore, the question arises why the DPR passed a religious law when it already has its own national education system? Is this a form of success for the political parties shaping the law in the dynamics of legislation so as to strengthen religion-state relations?

In another context, the BJP's victory in 2014 brought a new chapter for India, especially efforts to “Indianize” in several sectors, especially in education. The real efforts made by Narendra Modi by changing the education system to be more “Indian” by bringing

the rhetoric of education under “foreign” has become a big concern lately. The idea of Hindutva or Hindu Nationalism has become the main radar of the BJP to implement as an ideologization effort in the context of education. The National Education Policy (NEP) provides the necessary framework for aggressive Hindutvaization and privatization of education. Such as the move to include the Bhagavad Gita in moral science textbooks in BJP-ruled states such as Gujarat, Uttarakhand, and Haryana (Rajalakshmi, 2022). In some contexts also the revised curriculum will include speeches by K H Hegdewar, the founder of the Rashtriya Swayamsevak Sangh, or RSS, a vast Hindu nationalist organization with around 5-6 million members (Krishnan, 2022). The NEP has been highly debated due to the attempt to “Hinduize” education policy in India, even though it has not yet become a constitution or law. This dynamic is further encouraged because the consultation related to NEP is the RSS where the Minister of Education in India is currently controlled by the BJP and creating NEP is a straight line of Hindutva (Basu, 2020).

This policy carries the ambition to significantly reform India's education system by emphasizing Indian values, with the broader goal of shaping a society envisioned as a “knowledge power” in the future. Replacing the 1986 National Education Policy, the NEP introduced under the leadership of Prime Minister Narendra Modi aims to improve the quality of education at all levels—from primary to higher education—by responding to global challenges through a traditional Indian framework. However, the NEP does not seek to overhaul the existing system entirely, but rather to realign it to make it more flexible and contextual (Verma & Kumar, 2021). And because it is still a policy and not a constitution, several Indian states such as Kerala, Karnataka, and Tamil Nadu have rejected it completely (Basu, 2020). The point is, it can be seen how the NEP aims to integrate traditional Hindu science and philosophy into all levels of education and this would undermine education with the core tenets of Indian secularism as the NEP aims to instill a sense of pride in Hindu heritage and promote a worldview based on traditional Hindu epistemology (Nanda, 2024).

So, in the discussion above, it can be understood that the Pesantren law is a legally binding regulation with the aim of providing recognition or acknowledgment, facilitation, and equality between the education system in Indonesia and the Pesantren context. Therefore, there are separate, stand-alone regulations, namely the law on the national education system and the law on Islamic boarding schools. Although they are different, the goal is the same, education, and the context of Islamic boarding schools does not change, only new regulations are added. On the other hand, the NEP is a national policy that seeks to change the curriculum and teaching methods, as well as strengthen research and innovation.

In this context, it is evident that the PKB succeeded in pushing for the passage of the Pesantren Law despite not being the winning party in the elections. Conversely, the

BJP, despite being the ruling party that won the elections, was only able to push for the NEP as an administrative policy that was even rejected by several states, and failed to institutionalize it as a national legal product. This difference raises the question: why can value-based regulations such as the Pesantren Law be successfully passed in Indonesia but fail in India? This question is interesting because it shows that even a large party like the BJP, which won the election, was unable to make the NEP a state regulation with legal force as the PKB did. What is also interesting is that the NEP does not explicitly mention terms such as “Hindutva” or ‘Saffronization’ as its ideological framework. However, in contrast, there is not a single mention of “secularism”—even though secularism is a principle explicitly enshrined in the Indian constitution. This indicates a gradual infiltration by the RSS as the ideological actor behind the BJP, through changes in the school curriculum that are slowly moving from the state level to the national level.

To answer the question of why the PKB succeeded in pushing for the passage of the Pesantren Law in Indonesia, while the BJP failed to institutionalize the NEP as law in India, this study begins with the assumption that the success of political parties in the legislative process is determined by their ability to build political consensus across actors, as well as the extent to which the substance of the policies proposed does not deviate from the fundamental values of the state constitution. In the Indonesian context, the PKB demonstrates that its success does not stem from dominance of power, but rather from a strategic approach that is inclusive and sensitive to the political landscape and constitutional values. The PKB does not hold full control in either the executive or legislative branches, so it does not have the space to impose its agenda unilaterally. Instead, the party must involve various political actors, including coalition parties and civil society organizations such as Nahdlatul Ulama. This approach makes the policies proposed by the PKB, such as the Pesantren Law, easier to accept because they are seen as the result of a process of dialogue, negotiation, and compromise involving various parties. Additionally, the PKB's non-dominant position makes it more cautious in proposing policies that could trigger resistance. In this regard, the PKB's success can be seen as a result of its ability to accurately assess the available political space and build consensus within a pluralistic democratic landscape.

The consensual nature of PKB's policies is evident in the way it builds collaboration with religious organizations and compromises with other parties. PKB's success in pushing through the Pesantren Bill cannot be separated from its position as the political representative of Nahdlatul Ulama, which has strongly supported the legislative process from the outset. This support was further strengthened through political ties between the PKB and NU with President Joko Widodo since the 2014 elections, which subsequently resulted in various programs that favored the pesantren community during

his administration. On the other hand, parties such as the United Development Party (PPP), which had previously proposed the Religious Education Bill, eventually merged their draft with the PKB's version of the Pesantren Bill to broaden cross-faction support. The initial draft, which consisted of 169 articles and 10 chapters, was streamlined to 55 articles to reduce resistance from organizations such as Muhammadiyah and Persis. Even in the clause on radicalism, oversight was not handed over to the state but to the authority of religious scholars (Azzahra, 2020). This dynamic indicates that the PKB's success does not rely on power dominance but on the careful building of consensus through the accommodation of diverse socio-political interests. In this regard, the PKB's non-dominant position has become a strategic asset for bridging various actors and strengthening the legitimacy of the proposed policies.

On the other hand, in India, the BJP, as the ruling party, has significant political power, both in the central government and in several states. This power allows the BJP to be more aggressive in promoting the Hindutva agenda, including in the National Education Policy. However, this approach has instead generated resistance from minority groups, especially Muslims, as well as secular groups who feel that BJP policies threaten Indian pluralism and secularism. The BJP tends to impose the Hindutva agenda through changes to the curriculum and education policy, which are seen by many as an attempt to dominate the historical and cultural narrative of India with a Hindu perspective. This creates tension and rejection, especially from groups that feel marginalized or threatened by the policy.

It can be seen that when the BJP promoted the NEP as national education policy, sharp criticism arose from opposition parties and a number of state governments in India. This context is referred to as policy stick, when political parties impose their interests to become policy. This condition shows that in a multiparty parliamentary democracy, promoting ideological policies is not only a matter of electoral power, but also a matter of the ability to face resistance and build consensus across actors. Heller explains in his article how governments in a multiparty parliamentary system can maintain their policy direction through a mechanism called last-offer authority, which is the executive power to make policy adjustments at the final stage of legislation to keep the coalition solid. This mechanism allows the government to punish coalition members who defect or deviate, while ensuring that policies remain in line with the government's vision without undermining stability (Heller, 2001).

However, Heller's analysis cannot be fully applied to the contexts of India and Indonesia because neither country has a formal last-offer authority mechanism. The absence of such institutional mechanisms emphasizes the importance of informal institutional tools in the legislative process, such as the role of civil society organizations, religious authorities, and unofficial communication channels. In this context, the success

or failure of a party in promoting legislation does not only depend on electoral strength or position within a coalition, but also on the ability to build consensus through informal networks, as well as the careful formulation of policies that do not conflict with the country's constitutional values. Thus, it is not only formal structures, but also the dynamics of values and deliberative strategies that are key to explaining policy outcomes in the two countries.

A unique phenomenon began to emerge, why is the PKB, which can be said to be a small party (because it did not win the election), but can be more successful in making state regulations than the BJP, which has won the election? Why can a small party influence education policy through the Pesantren law, while the BJP, which has high political dominance, has a high challenge in making education a tool for Hindu ideologization through the National Education Policy (NEP)? What is the process and political approach taken by the PKB so that it can succeed in making law? This difference is interesting because the basic assumption is that large parties and election winners are much easier to make and implement ideological policies because they have power and exercise that power, but in the context of PKB and BJP it looks different where PKB is more successful even though it is only close to the ruler and not the owner of the power itself. Therefore, this explanation will push towards a political process and institutional relations-based explanation of ideological policymaking.

Before examining the puzzle that emerges in this study, comparisons with other countries that adhere to secular and multiparty systems show that the relationship between religion and the state often depends on the ability of political parties to form power alliances and formulate policies that are in line with their ideological agendas. In Turkey, the Justice and Development Party (AKP), which has been in power since 2002, has gradually lifted the ban on the wearing of headscarves in public institutions, which had long been a symbol of the country's secularism. This policy began to be implemented in 2013 through the relaxation of amendments to the Turkish constitution that had previously prohibited the practice. This story shows how the AKP's solid coalition and electoral power have enabled the emergence of religious conservatism, despite its clash with the secular values enshrined in the Turkish constitution (Akboga, 2014). Meanwhile, in Israel, the Shas Party, a medium-sized religious party that has never won an election, has played an important role in shaping religious education and marriage laws. Through consistent lobbying, Shas has pushed for increased funding for Jewish educational institutions and maintained that marriages in Israel must be conducted and recognized according to Jewish religious law, not civil law (Sarfati, 2009).

However, these two comparisons do not directly explain how political parties can succeed or fail in promoting ideological policies into formal legislation, especially in

contexts where the substance of these policies may conflict with constitutional values. In this context, this study does not merely ask whether ideological parties have political power, but also to what extent they are able to confront social-political resistance and build consensus—as well as whether the substance of the policies they promote aligns with or deviates from the foundational values of the state. This is the explanatory gap that this study seeks to address through a comparative framework examining the cases of PKB and BJP.

If we analyze this question further, then what we need to ask is not only “what happened,” but “why did it happen?” In examining these two seemingly contrasting cases, I start from the belief that the success or failure of a policy cannot be adequately explained by the size of a party's power, but rather by two causal factors: first, the extent to which the substance of the policy is aligned with the values of the state constitution; and second, the extent to which the party is able to build political consensus across actors in a pluralistic democratic system. In some cases, such as the success of opposition parties or small parties, political consensus can overcome formal power limitations. Conversely, in other cases, such as when a dominant party introduces policies that are substantively at odds with constitutional values, social and political resistance becomes inevitable. Thus, through these two explanatory approaches, this study will seek to answer why ideological policies succeed in one context but fail in another.

1.2 Research Question

Why did the PKB successfully pass the Pesantren Law in Indonesia, while the BJP failed to institutionalize the National Education Policy in India, even though both were ideologically motivated and had the political capacity to pursue these policies?

1.3 Research Objective

1. To analyze how ideological political parties build political consensus across actors in the value-based policy legislation process, and the extent to which these strategies contribute to the success or failure of religious policy institutionalization in a pluralistic democratic system.
2. To compare variations in value-based policy outcomes in two different state configurations and religious relations, by examining the extent to which the substance of policies proposed by political parties is consistent or inconsistent with the values of the state constitution, as well as how this consistency or distance between values influences the level of socio-political resistance.

1.4 Research Contribution

This research will at least contribute to three things, first is theoretical explanation, second empirical, and third practical. For the theoretical this research will increase the literature on the relationship between political parties, political goals, and political processes that make their interests possible. With a focus on why small party can create policy “religious” but the big party can’t do that. This research will also provide new insights by attempting to compare two national cases that are rarely compared empirically in academic literature. India and Indonesia have their own uniqueness and dynamics, by comparing them it will contribute especially in the case study of PKB and BJP, where this research will provide new insights into how the role of political party and his dynamics to create law-making, specifically in the what process behind parties create policy. Political parties such as the PKB in Indonesia succeeded through the Pesantren Law, while the BJP in India faced challenges in maximizing Hindutva policies through education in the context of the National Education Policy. Lastly, this research will contribute on how smaller parties like PKB can navigate institutional constraints and build effective consensus through inclusive strategies, while larger parties such as BJP may still struggle when their policies deviate from constitutional values or lack broad-based support in parliament.

This study will also provide an in-depth understanding of the interaction of religion and politics with the context of differences in religion-state relations in influencing the success of political parties in using education for ideologization. Lastly, this study will practically provide relevant knowledge for policy makers, political parties, and community organizations by making policy recommendations that can be used by political parties or religious organizations to understand how effective strategies to make law-making even the party was not won the election. Not only that, this study is also very relevant for political actors by providing guidance for political parties to utilize religious institutions in gaining influence for public policy making even though they are not the ruling party.

1.5 Structure of Thesis

This thesis consists of five main chapters. The first chapter is an introduction that describes the background of the research, the formulation of the problem, the research questions, and two rival hypotheses that form the framework for analysis in this study. This chapter also explains the relevance of the research in understanding the relationship between religion and the state through religious value-based policies, particularly by comparing the legislative experiences of the PKB in Indonesia and the BJP in India.

The second chapter explains the theoretical framework, hypothesis formulation, and methodological approach used in this research. The theoretical discussion focuses on two main explanatory variables: the ability of political parties to build cross-actor

consensus, and the degree of alignment between proposed policies and the values of the state constitution. This chapter also outlines the research design, unit of analysis, data sources, and analysis techniques in the form of process tracing to trace the causal mechanisms of each case.

The third chapter presents an empirical narrative of the two cases studied. This chapter presents a structured account of how the PKB in Indonesia and the BJP in India promoted religious value-based policies, highlighting the dynamics of legislation, inter-party negotiations, and responses from civil society. This chapter is descriptive and aims to present “what happened” before moving on to the theoretical analysis stage.

The fourth chapter is the core of this thesis's analysis. This chapter tests two competing hypotheses by examining the extent to which each hypothesis can explain the success and failure of policies in both cases. The testing is conducted symmetrically and comparatively to assess which causal logic is stronger in explaining variations in legislative outcomes. This chapter also presents a comparative reflection on the interaction between party strategies, institutional configurations, and policy substance.

The fifth chapter is the concluding chapter, which summarizes the main findings and answers the research questions that have been formulated. This chapter also reflects on the theoretical contributions of this study to the literature on legislative politics, religion-state relations, and ideological policy-making in pluralistic democracies. In the final section, this chapter offers practical notes for political actors and suggestions for further research to understand the relationship between party strategies and constitutional norms in value-based legislative processes.

CHAPTER II

THEORETICAL FRAMEWORK & RESEARCH METHODOLOGY

2.1 Literature Review

This study aims to examine how the success or failure of value-based policy legislation is influenced by two main factors: first, the ability of political parties to build consensus among actors in the parliamentary arena; and second, the extent to which the values embedded in the policy align with or diverge from the fundamental principles of the state constitution. Using a comparative approach to the cases of the National Awakening Party (PKB) in Indonesia and the Bharatiya Janata Party (BJP) in India, this research seeks to understand the political conditions that enable or hinder the transformation of ideology into formal legislation within the context of pluralistic democracy.

Previous studies on ideological policies in pluralistic democratic systems have extensively explored the role of political parties in value-based legislative processes. For instance, Iskandar et al. (2024) examined how the Pesantren Law became a significant milestone in the recognition and support of pesantren in Indonesia. However, it remains at a crossroads between the spirit of regulation and political interests, posing challenges for optimal implementation and raising concerns about the independence and identity of pesantren. Their article focuses on the political and regulatory dynamics of the Pesantren Law, analyzing its recognition of pesantren, the political interests involved, and the implementation challenges in Indonesia's socio-political context. While the law provides legal certainty and potential government support for pesantren development, it also raises concerns over external interventions that could threaten pesantren autonomy. Its implementation is further hindered by incomplete derivative regulations and political conflicts.

Azzahra (2020), on the other hand, critically examines the impact of the Pesantren Law on the national education system. Her study reveals how this regulation potentially erodes the traditional autonomy of pesantren, particularly regarding curriculum design and kyai leadership. Through interviews and secondary data analysis, she found that although state involvement brings financial support, it also raises concerns about the homogenization of values and practices among pesantren—especially those affiliated with Nahdlatul Ulama (NU). Azzahra also notes that PKB's success in enacting the law is closely tied to its electoral and symbolic strategies linking pesantren to NU's historical contributions to national development. This suggests that value-based legislation by Islamic parties like PKB depends not only on formal political power but also on the ability to simultaneously manage cultural and constitutional legitimacy.

The study by Mumtaz et al. (2024) makes a significant contribution to understanding the intersection between value-based education policies, kiai autonomy, and contemporary political configurations. It positions the Pesantren Law as a site for articulating the interests of Islamic parties, particularly PKB and PPP. The study explicitly identifies PKB as the faction that proposed the bill and highlights the negotiation processes between party elites and pesantren communities, especially in framing political support as a mutually beneficial alignment of interests. Using a qualitative approach and interviews with the leaders of two pesantren in East Java, the study finds that PKB played a key role in advancing the law through strategic relationships with the pesantren community. It also reveals the varied positions of the kiai toward political involvement, ranging from collaborative to distanced—reflecting the tension between the need for modern institutionalization and the traditional values of autonomy in value-based legislation.

Although these three studies provide valuable insights into the impact of regulation on pesantren autonomy and parliamentary political dynamics, none has systematically examined PKB's value-based legislative process through the lens of cross-actor consensus strategies and constitutional legitimacy. This study aims to fill that gap using a comparative approach and a multi-variable analytical framework.

In contrast to PKB, which successfully advanced the Pesantren Law, the BJP's experience in promoting the National Education Policy (NEP) in India presents a different set of complexities. Several studies indicate that despite being the ruling party with strong electoral support, the BJP's efforts to institutionalize the NEP as a legally binding national policy encountered significant political and societal resistance. Peerzada et al. (2024) found that the NEP led to the commodification of education and promoted a dominant Hindu historical and cultural narrative through "saffronization." Resistance emerged from progressive groups in several states. Peerzada describes the "light but tight" education model, highlighting the ideological convergence of neoliberalism and Hindutva-driven neoconservatism within India's NEP framework.

In addition, Priyanka (2024) details the political and administrative challenges the BJP government faced in enacting and implementing the NEP as national legislation. Resistance to change and stakeholder coordination problems, as noted in the article, reflect the political negotiations and conflicts the BJP encountered during the legislative process. Furthermore, issues related to resource allocation and cultural diversity illustrate the difficulty of achieving consensus across India's diverse political and regional landscape, contributing to delays and implementation challenges.

Lastly, Dey (2025) argues that the BJP's education policy constitutes an effort to saffronize public knowledge—a long-term strategy for shaping a Hindu national identity. The article analyzes how the BJP, alongside the RSS and educational institutions, has

altered curricula in history, culture, and citizenship, moving away from pluralistic narratives. Dey positions education policy as an ideological battleground over national identity, where Hindu triumphs are emphasized, and the contributions of other communities are minimized. However, resistance in several states suggests that the saffronization project faces significant ideological pushback against India's secular principles.

These three studies offer valuable perspectives on the cultural, normative, and political challenges to the BJP's efforts to institutionalize education policy. However, none has systematically linked these challenges to the lack of cross-actor consensus and tensions over constitutional values—an analytical gap this study intends to address.

2.1.1 Norm Distance Effect

Several studies indicate a direct relationship between the distance of policy values from the constitution and the level of social, political, and institutional resistance to the policy. Mudde explains that political parties with populist agendas interact with liberal constitutional norms in democratic countries. Mudde analyzes that populism inherently challenges liberal democracy by opposing pluralism, minority rights, and institutional oversight mechanisms designed to protect these principles. Therefore, political parties with populist agendas will navigate and challenge liberal constitutional norms by rejecting pluralism and minority protections in favor of a majoritarian "will of the majority", creating conflict within democratic states that must choose between accommodating or resisting these populist pressures. It thus appears that populist political parties will tend to confront liberal constitutional norms that essentially prioritize pluralism, minority rights, and secularism. When policy values deviate significantly from these normative frameworks, resistance tends to increase, and the chances of institutionalization decrease.

The tension between policy values and constitutional principles is also explained in the Indian context by Meera Nanda (2006), who shows that the Hindutva agenda promoted by the BJP often clashes with the spirit of secularism that underpins the Indian constitution. Nanda highlights that the Hindutva ideological project does not solely rely on religious conservatism but also derives its legitimacy through a postmodern approach that relativizes standards of rationality and secular universalism. Within this framework, policies such as the NEP cannot be understood merely as technocratic instruments in the field of education, but as part of a broader ideological trajectory. This normative inconsistency, according to Nanda, helps explain the emergence of resistance to the NEP in various states.

On the other hand, policy legitimacy is not only determined by political support, but also by its conformity with prevailing social and constitutional norms. Normative legitimacy alone is not an absolute benchmark to guarantee a successful legislation. Peter Hall explains that successful policies are typically those considered legitimate and acceptable by the public and institutional elites. Such policies are primarily built on the normative legitimacy of a policy, which is maintained through the dominant political discourse that shapes the way policies are formulated, justified, and understood by political actors and the public. This discourse gives legitimacy to representations by prioritizing specific social interests, defining the boundaries of acceptable state action, and linking policies to particular interpretations of national history and collective identity. Political actors—including politicians, officials, interest groups, and experts—operate within the framework of this discourse, rationalizing their actions to gain popular support, ensure consistency, and motivate implementation. Legitimacy is therefore not simply a product of formal authority or coercion. However, it is strongly linked to the flow of ideas that connect the state and society, influencing both the acceptability and effectiveness of policies in specific institutional and social contexts. In this context, policies tend to be successful because they align with the dominant values in the state's normative structure. If the policy value lacks normative legitimacy, it may face challenges in implementation, due to difficulties in obtaining the necessary consensus and motivation among implementers and stakeholders (Hall, 1993). For example, in the context of Turkey, similar to Hall's context, the national curriculum reform introduced by the AKP government in 2024 has met resistance from teachers and the opposition because it is considered to undermine the principles of secularism guaranteed by the constitution. The curriculum was deemed to place excessive emphasis on religious values and conservative nationalism, raising concerns that education was being used as a tool for state ideologization (The Express Tribune, 2024).

Two key points can be drawn from this: policies that are successful because they align closely with the constitution, and policies that are not successful because they diverge significantly from the constitution. The question then arises: what if there is an ideological policy that controls the majority against the minority? Will there be resistance? In this context, one approach may explain democratic constraints. Nancy Bermeo states that in a constitutional democratic system, normative restrictions on majority rule are required. Liberal constitutions serve as an important check on majority rule by setting institutional limits designed to protect minority rights and fundamental state values. However, their effectiveness can be limited, especially when the majority pursues an agenda that challenges those protections. When parties become electorally dominant, they may use their democratic mandate to pursue an agenda that could undermine democratic institutions

or the rights of minorities. Therefore, while liberal constitutions provide mechanisms to control majority rule, they remain dependent on democratic institutions (Bermeo, 2016). Most importantly, however, the constitution acts as an ideological fence that limits a political party's room to maneuver, even if it dominates electorally.

Fealy's research also shows that Islamic political expression in Indonesia tends to be moderate and accommodating towards state ideology, particularly Pancasila. In his explanation, the form of Islamic politics that has developed in Indonesia does not aim to replace the ideological foundations of the state, but rather to strengthen them through cultural, educational, and institutional channels. This is not contradictory due to several factors, such as the historical and contemporary role of Islam in Indonesian politics, the activities and influence of Islamic political groups, and the negotiation between the secular state framework and Islamic norms. Within this framework, value-based policies rooted in religion that emerge within Indonesia's political system are often not perceived as a threat to the constitution but rather as part of recognition of deeply entrenched social structures. Historical and cultural factors have shaped the coexistence between Islamic values and the state's normative structures, thereby opening up broader spaces for consensus in the legislative process (Fealy & White, 2008).

Therefore, this theoretical debate emphasizes that the value congruence between policy and constitution is not only a normative issue, but also politically decisive. Too great a distance between values will increase resistance and inhibit the possibility of consensus, while a close distance opens up greater political space for parties to form agreements across actors in the legislative system. Thus, in a pluralistic democratic system, the success of legislation is largely determined by how small the distance between policy values and state constitutional values is, because it determines the level of resistance and the chances of reaching consensus.

2.1.2 Political Consensus in the Legislation Process

After discussing how the legitimacy of policy values affects resistance, this section will discuss how such resistance can be overcome or weakened through the political process of consensus, especially in the context of a fragmented multiparty system. The distance of policy values to the constitution is indeed one of the important variables in explaining the success or failure of legislation, but it is not the only determinant. Contexts such as consensus in multiparty systems, especially in non-majoritarian countries, inter-party bargaining, veto player and blocking institutions, and political coalition are factors that can explain why the legislative process can be successful or not. Therefore, it can be assumed that the success of value-based policy legislation is also largely determined by the

ability of political parties to build cross-actor support to overcome resistance and push the policy into law. In a pluralistic democratic system, the success of a policy to be institutionalized as a law also depends heavily on the ability of political actors, especially parties, to build consensus. Without consensus, even policies that have strong normative legitimacy can fail in the legislative process. Consensus becomes a political mechanism that bridges the gap between policy values and institutional realities in the decision-making system. Therefore, this section will write about how there is a theoretical debate on political consensus in the legislative process.

In this context, Giovanni Sartori's concept of polarized pluralism remains relevant for understanding how the level of ideological fragmentation in a multiparty system can influence the space for consensus. However, it is not a question of how difficult consensus is to achieve, but rather how the absence of consensus in a highly polarized system can lead to the failure of value-based policy legislation due to the lack of substantive common ground needed to transform policy into formal legal products.

In polarized pluralism, parties not only compete electorally, but also champion fundamentally different worldviews. These worldviews are translated through political party interests that are pushed into state policies. Because of this competition, the legislative process is not simply a calculation of the number of votes in parliament, but also relies heavily on the ability of parties to bridge ideological differences and formulate acceptable common ground across actors. When this fails, proposed public policies - especially those that carry a value or religious agenda - tend to face widespread resistance, not only at the parliamentary level, but also in society and other state institutions that safeguard the constitutionality of such policies. In this case, consensus becomes a mechanism to tame tensions, especially if the values carried by certain policies are considered deviant or too one-sided towards the majority group (Sartori, 2005).

Thus, in the context of this thesis, the success or failure of a political party in pushing legislation is not only determined by its electoral strength, but also by how well it is able to navigate the fragmented structure of the party system. Sartori helps explain that systems with polarized pluralism such as India and Indonesia, albeit to different degrees, present political dynamics that demand consensus strategies as the only way to produce institutionalized policies. The failure to build consensus, then, is not simply a technical failure, but a reflection of an ideological gap that is too large to bridge within the existing structure of the system.

Problems may then arise when a party has effectively built consensus, but is it in line with the interests of other parties? In this context, George Tsebelis through his veto players theory also provides a framework that can explain this condition. According to Tsebelis, the more actors who have the power to veto a policy, the smaller the chances of

the policy passing into law. Veto players include not only parties in parliament, but also institutional actors such as the president, dominant opposition groups, or even very strong public opinion. Therefore, in order to simplify the veto structure and build the minimum agreement required, the parties supporting the policy must be able to develop an effective consensus strategy. In this context, parties that are unable or unwilling to build consensus will tend to experience legislative failure, even if they are electorally dominant (Tsebelis, 2002).

Political consensus also reflects the party's ability to read the power landscape and take resistance into account from the outset. In this context, political maneuverability becomes relevant: it is not just whether a party has a majority of seats, but whether it is able to bridge differences in values within the political system. Consensus does not emerge automatically; it is formed through a series of negotiation processes, alliances, agenda simplification, and sometimes value compromise. Consensus should therefore be seen as an independent variable that determines whether policies can be institutionalized in a pluralistic democratic context.

Thus, the success of legislation depends not only on the substantive value of the policy, but also on the political process that accompanies it. The distance of the policy's value from the constitution determines the level of resistance, while consensus determines whether the resistance can be muted and compromised. In a system with many veto actors, a consensus-building strategy is an absolute requirement for political parties that want to make their vision part of positive law. Therefore, in the framework of this research, political consensus will be positioned as an important variable that works alongside the distance of policy values from the constitution in explaining the success or failure of party policies in the legislative process. This theoretical framework will be the basis for analyzing the dynamics of the two cases in this study, namely PKB with the Pesantren Law and BJP with the NEP.

2.2 Research Hypothesis

This research formulates two hypotheses that stand as a causal explanatory framework for PKB's success in pushing for the passage of the Pesantren Law in Indonesia and BJP's failure in institutionalizing the National Education Policy (NEP) as a law in India. These two hypotheses are not constructed within a hierarchical framework of validity, but are positioned as two equal and rival explanations, each offering a different logic of how value-based policies succeed or fail to be institutionalized in the context of a plural and democratic political system.

As such, this study does not aim to separate hypotheses by case (e.g. one for PKB, one for BJP), but to test how each hypothesis works in explaining two cases that are similar

in institutional character but different in legislative outcomes. They will be tested symmetrically against each case to see which explanatory framework is most relevant in describing the variation in outcomes.

2.2.1 Main Hypothesis

The success of legislating a value-based policy in a pluralistic and multiparty democratic system depends on the capacity of political parties to build political consensus among actors. In this context, consensus is not merely about securing a parliamentary majority, but rather about engaging in a substantive deliberative process one in which actors with differing preferences and ideological orientations can arrive at a shared political understanding of a policy's content. In systems filled with veto players, consensus-building becomes the only viable strategy to prevent policy proposals from being blocked by structural or ideological resistance.

The central hypothesis of this research is that “the success or failure of legislation is determined by a party's ability to build political consensus across actors.” This hypothesis is based on the assumption that in a complex democratic system, political parties never operate in a vacuum. Every legislative action they undertake interacts with the political calculations of other actors, both within formal institutions and beyond such as civil society organizations, religious groups, the media, and informal opposition networks. Therefore, the strategies parties use to navigate diverse interests and values become crucial. If a party can foster cross-ideological dialogue, construct an inclusive policy narrative, and provide sufficient space for compromise, resistance to the policy can be reduced, thereby increasing the likelihood of achieving consensus.

In line with the first hypothesis, previous research has shown that political parties are not solely controlled by politicians oriented toward electoral power, but are formed by coalitions of interest groups and activists who develop a common agenda based on ideological and policy objectives. These parties will collectively push the agenda when there is a common orientation of interests among internal actors. In this framework, the ability of parties to build consensus across actors becomes a key factor in successfully pushing a policy into the legislative process. Consensus becomes a tool to minimize resistance especially when the proposed policy conflicts with the interests or values of other political actors (Bawn et al., 2012).

Consensus does not necessarily emerge from shared beliefs, but from a minimal level of understanding that allows political actors to accept a policy as normatively and procedurally negotiable. In the case of value-based legislation, consensus is especially critical, as such policies often touch on sensitive issues such as identity, religion, morality,

and worldview. Without consensus, these policies are easily framed as threats to pluralism or as expressions of value dominance by particular groups. Conversely, when the supporting party frames its policy as a national compromise that respects value diversity, opposition tends to diminish and broader support becomes possible.

In this causal model, political consensus is positioned as an independent variable that directly influences legislative success. Political and social resistance serve as intermediary variables mediating the relationship between consensus-building strategies and policy outcomes. When consensus is achieved through inclusive communication and negotiation, resistance is likely to decline, facilitating smoother legislative processes. On the other hand, the absence of consensus leads to heightened resistance, increasing the chances that a policy will be stalled, delayed, or even politically abandoned.

This hypothesis does not dismiss the importance of the substantive values embedded in a policy. Rather, it contends that in dynamic political settings, the success or failure of a policy is primarily determined by the ability of political actors to foster mutual understanding. In other words, a policy's success is not solely dependent on its alignment with constitutional or dominant values, but on how effectively political parties craft strategies that generate shared acceptance. Thus, within this hypothesis, the process of political consensus-building emerges as the key explanatory factor in the successful enactment of value-based policies.

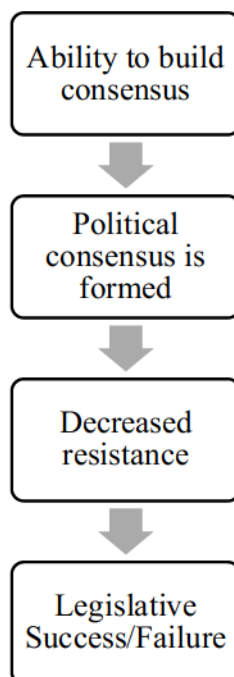


Figure 1. Main Hypothesis

The flowchart process above (Figure 1) is a causal flow that can be explained incrementally. Using a multilevel causality approach, this hypothesis assumes that the

process of successful legislation begins with consensual strategies implemented by political parties. This strategy can take the form of cross-faction negotiations, involvement of socio-political actors, and inclusive narrative framing. If this strategy is successfully implemented, a substantive political consensus will be formed - not just a formal agreement, but an understanding across values. The formation of this consensus has a direct impact on decreasing resistance from veto actors and opposition groups. As resistance weakens, the space for conflict narrows, and the legislative process can proceed without significant political obstacles. Therefore, the causal flow can be explained as follows: consensual strategy, consensus is formed, resistance decreases will lead to successful legislation. The main emphasis is that political consensus is not just the result of a conducive situation, but can be formed through strategic engineering by political parties that have institutional intelligence. In this model, consensus is positioned as the independent variable, with resistance as the mediator, and legislative success as the final dependent variable.

2.2.2 Rival Hypothesis

While the main hypothesis emphasizes political consensus as a key variable in explaining the success or failure of value-based policy legislation, it is not the only possible explanation. The counter-hypothesis offers a different causal logic by shifting the focus from political strategy to the substance of the policy values themselves. According to this hypothesis, the greater the distance between policy values and the fundamental principles of the state constitution, the higher the likelihood of resistance—and, consequently, the lower the probability that the policy will be successfully institutionalized through the legislative process. From this perspective, even the most inclusive consensus-building strategies may fail if the promoted policy values are deemed fundamentally incompatible with the ideological foundations of the state.

In a pluralistic democratic system, the legislative success of value-based policies is not determined solely by the electoral strength or technical capacity of the supporting parties. Behind the political process lie normative constraints derived from the constitution, which reflects the foundational values of the state. This hypothesis posits that the distance between the values of a proposed policy and the core principles of the constitution is a critical determinant of legislative success or failure. The further a policy deviates from the constitutional framework, the greater the resistance it generates among various actors, and

the more difficult it becomes to achieve consensus—regardless of the political power or legislative strategy employed.

The constitution is not merely a legal document; it also embodies fundamental norms that underpin the continuity of the democratic system. Principles such as pluralism, secularism, and the protection of minorities are substantive components that define the limits of policy legitimacy. When value-based policies are perceived to be in sharp conflict with these principles, resistance emerges not only from political opposition but also from the judiciary, media, civil society, and bureaucratic institutions. This type of resistance is structural and not easily resolved through negotiation, as it pertains to core values considered non-negotiable.

In brief, this rival hypothesis can be expressed as: “The success or failure of legislation is determined by the distance between policy values and constitutional values; the greater the distance, the higher the resistance, leading to policy failure.” This hypothesis underscores that, in such cases, forming political consensus becomes nearly impossible. Consensus is not merely a technical matter but the outcome of a shared normative foundation among political actors. When no such common ground exists—because the substance of a policy is seen as excessively extreme—no degree of strategic consensus-building will overcome the wall of resistance. Therefore, the failure of consensus stems not from a lack of strategic capacity but from the fundamental incompatibility between the policy and the state's core values.

Under these conditions, the legislative process is not only obstructed but also loses its political and moral legitimacy. Heightened resistance may trigger both formal and informal counteractions, including judicial review, bureaucratic inaction, public pressure, and media-driven delegitimization. In an open democratic system, political power does not operate unilaterally but must contend with normative boundaries maintained by institutional and public opinion. As such, policies misaligned with the constitutional value framework are likely to reach a dead end, even when backed by strong electoral or executive authority.

This hypothesis contrasts with perspectives that emphasize political strategy or electoral strength as the main determinants of legislative outcomes. Rather than viewing policy failure as a result of tactical shortcomings, this hypothesis argues that success is only feasible when policy values fall within the system's acceptable range. The greater the distance between policy and constitutional values, the stronger the resistance, and the

slimmer the chance for consensus. Without consensus, support across political actors dissipates, and the policy ultimately fails to become institutionalized in formal legislation.

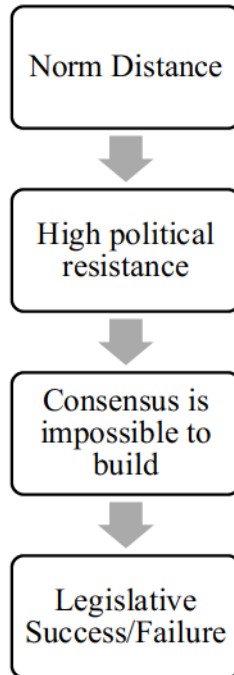


Figure 2. Rival Hypothesis

This hypothesis departs from the causal relationship between policy value positions and the extent to which the political system is able to respond positively to them. When the values in the policy deviate too much from the constitutional framework, then various political, social, and legal actors will show resistance. This resistance arises because the policy is no longer seen as a negotiable difference in political preferences, but as a threat to the basic values of the state. This high resistance hinders the formation of consensus, because there is no normative meeting point that can be used as a basis for compromise. In this context, consensus fails not because of a lack of strategy, but because the policy values themselves are fundamentally unacceptable. Without consensus, the political support needed to pass the policy will be lost, and legislative efforts will stall formally or informally. This causal flow emphasizes that value incongruence is a source of structural resistance, which makes consensus impossible, and policy failure inevitable.

2.3 Research Method

This study employs a comparative case study to analyze the process of education ideologization by the National Awakening Party (PKB) in Indonesia and the Bharatiya Janata Party (BJP) in India. The selection of this comparative method is not without reason. Scholars such as Lijphart, in their research, explain how the comparative method position

provides the best option for political science research methods. While we recognize that experimental and statistical methods are excellent for research, they have limitations, such as the inability to control all variables or predict their interactions. Even if the research is conducted with deliberate randomization to create equal groups, there is still a degree of uncertainty because it is impossible to ensure that the groups are identical in every aspect. Comparative research is important because it allows us to establish general empirical propositions and compare different cases to identify patterns, relationships, and causal mechanisms in the context of the problem. Secondly, we can also integrate new methods as long as the hypothesis of the comparative method can be tested; besides, the approach of other methods will also make our way of analyzing more effective. Third, the use of a regional approach can facilitate comparative analysis by allowing for a focus on specific geographical or cultural contexts. In this way, this approach provides a higher level of analytical precision in testing theories and distinguishing patterns between cases (Lijphart, 1971). Therefore, comparative methods are the answer when the limitations of quantitative research bias the interpretation of a problem and one still wants to examine more than one case to facilitate generalization. In short, comparative research helps us understand why country A has a political experience but country B does not, or country A does, but we add more empirical variables by looking at the similarities with country B. The advantages of comparative research also help us to do hypothesis testing across different countries and cultural backgrounds to refine the theory we are analyzing.

In this study, I have formulated two independent variables derived from two competing hypotheses that do not complement each other. The first independent variable is cross-party political consensus, which is assumed to determine the success or failure of legislation. The second independent variable is the distance between policy values and the fundamental values of the state constitution. The dependent variable is the legislative outcome of the proposed policy, namely whether the policy is successfully passed into law or fails to be formally institutionalized.

Similar to the problem in my proposed research, which is why Indonesia can experience the PKB but India cannot experience the BJP, I question why a mid-sized political party like the PKB can pass a religious-law-based measure, while the ruling party, the BJ,P, faces significant challenges. The unit of analysis in this study is the political party, examined through its ability to foster political consensus and the degree to which its policy proposals align with or diverge from the constitutional values of the state.

To analyze the problem, this study employs the most similar system design (MSSD) research design by comparing two countries that share similar characteristics but exhibit different outcomes. That is, the MSSD system design aims to compare political systems that share many standard features, attempting to neutralize some of the differences

while highlighting the variables that distinguish them. To conduct MSSD, Landman maps several countries that share the same characteristics and key explanatory factors (x), but exhibit different outcomes (y). From these results, we can derive the essence of the hypothesis we propose to test (Landman, 2008). In my case selection, I chose the National Awakening Party (PKB) in Indonesia and the Bharatiya Janata Party (BJP) in India to explain the political process of ideologizing education.

2.4 Case Selection

Aspect	Indonesia (PKB)	India (BJP)	Information
Political Systems	Democracy Presidential	Democracy Parliament	Both countries are Democracy
Religious Diversity	Majority are Muslim and following minority like Christians, Hindus, etc.	Majority are Hindus following minority like Muslim, Christian, etc	Multireligious
Role of Religion in Politics	Party in basis of Islam (PKB), NU as a colleagues	Party in basis of Hindu (BJP), RSS as a colleagues	Parties using religion and civil society as a constituent.
Political Position	Close with regimes	Running the government	Both parties are in same position
Ideology instrument	Bill of Pesantren	Curriculum revision, glorification of Hindu history	Differentiation and policy approach
Party's Ability to Develop Consensus	High – formed cross-factional alliances, minimized resistance	Low – bypassed legislature, limited state-level involvement	Consensus is a key factor in legislative outcome
Norm Distance to Constitution	Low – aligned with Pancasila and accepted by most political actors	High – tension with secularism, resisted by opposition and states	Normative compatibility influences resistance

Table 1. Case Selection

Case selection with a comparison between PKB in Indonesia and BJP in India is possible because these two countries have similarities, such as both countries implementing a democratic political system, a multireligious country where there are many religions adhered to by its people, and religion has a dominant role in political parties and there is a relationship between civil society and political parties, both PKB which is not an opposition to the government and BJP which until today leads the government. Finally, their ideological instruments where PKB becomes a law with binding legal force and BJP is still working on such as revising the education curriculum and glorifying Hindu history.

2.5 Data Collection

This study utilizes both primary and secondary data sources. Primary data were collected through in-depth interviews with key informants, including politicians from the National Awakening Party (PKB), elites from Nahdlatul Ulama (NU), and other influential figures relevant to the research context. These interviews were essential for gaining a deeper understanding of the dynamics between political parties and religious organizations—particularly how this relationship influences the formulation of religion-based policy legislation.

As part of the primary data collection, this study conducted an interview with Marwan Dasopang, the Chair of Commission VIII of the House of Representatives of the Republic of Indonesia (DPR RI). Additional primary data were obtained from official minutes of meetings of the DPR RI Legislative Body (Baleg), particularly those related to the deliberation of the Islamic Boarding School Law. These sources offer direct insights into the dynamics of the legislative process within parliament.

Through these interviews and the analysis of parliamentary meeting minutes, the researchers aim to uncover the perspectives of key actors involved in the legislative process—including their political motivations, strategies, and the challenges they face. This approach also enables the collection of information that may not be documented in written records or secondary sources, such as details of political negotiations, internal party dynamics, and informal networks between political parties and religious organizations. The objective of gathering this data is to obtain comprehensive insights necessary to test and answer the research hypotheses. In this regard, in-depth interviews and the analysis of meeting transcripts not only complement secondary data, but also enrich the study by providing a more contextual and nuanced understanding of the cases under investigation.

With respect to data on the Bharatiya Janata Party (BJP), the study relies primarily on secondary sources due to constraints in accessing key informants for direct interviews. Secondary data were gathered from official publications, reputable news outlets, peer-

reviewed journal articles, and other publicly available sources deemed relevant to the research objectives.

2.6 Data Analysis

To answer the question “Does X cause Y in case Z?”, this study employs process tracing as a tool for hypothesis testing. Process tracing is a methodological approach commonly used in our field to test hypotheses. It requires researchers to generalize from specific observations within a single case study. The goal of process tracing is to determine whether the event under investigation continues from beginning to end meaning the entire causal process remains observable throughout its development.

Process tracing has several key characteristics. First, it involves in-depth analysis, in which each step of the causal mechanism is examined to ensure that all elements support the proposed causal hypothesis. Second, it employs within-case analysis, focusing on a single case to gain a deeper understanding of its internal dynamics. Third, it is evidence-based, relying on various types of empirical data—such as documents, interviews, and other records—that help verify the causal relationships within the process. Lastly, it emphasizes sequential causality, stressing the importance of the temporal order and logical connection among steps in the causal chain.

The logical framework developed by Mahoney is divided into three parts: hoop tests, smoking gun tests, and straw-in-the-wind tests (Mahoney, 2012). To apply process tracing to this case study, I follow the seven steps outlined by Collier: (1) identifying the research question, (2) constructing the causal mechanism (causal chain), (3) identifying the types of evidence relevant for process tracing, (4) systematically collecting data, (5) testing the mechanism against the evidence, (6) visualizing the causal mechanism, and (7) presenting the results and interpretation (Collier, 2011).

2.7 Validity and Reliability

To test the extent to which this research can be verified, I used data triangulation by combining interviews, observations, and document analysis to ensure the validity of the results. The Most Similar System Design (MSSD) was used to enhance internal validity by controlling for similar contextual variables such as democratic systems and religious diversity, so that differences in results are assumed to arise from different ideologization strategies between the PKB and BJP. In addition, I used the process tracing technique to identify causal relationships and limit irrelevant external variables such as economic factors or social sectarianism. The reliability of the research will be maintained through the consistency of data obtained from various sources and cross-checked.

Regarding external validity, this study does not aim to produce universal generalizations, but rather offers analytical generalizations based on a theoretical

framework that can be further tested in other contexts. Thus, the findings from these two cases can contribute to a broader understanding of how political consensus and value distance from the constitution influence the success of value-based policy legislation in other pluralistic democratic systems.

CHAPTER III

PKB AND BJP IN THE LEGISLATIVE PROCESS OF VALUES-BASED POLICIES

This chapter describes the political processes and legislative strategies undertaken by the National Awakening Party (PKB) and the Bharatiya Janata Party (BJP) in their efforts to push for the ratification of Law No. 18/2019 on Pesantren in Indonesia and the 2020 National Education Policy (NEP) in India. The focus of the presentation is on the internal and external dynamics that influence the journey of the legislation in each country, from agenda formation, managing political support, to responding to emerging socio-political resistance. The narrative is built on primary and secondary data, including interviews with key actors, minutes of parliamentary meetings, and policy documents.

To maintain a systematic flow of presentation, this section is divided into two main parts. The first section chronologically describes PKB's legislative strategy and dynamics, through five subsections:

- (1) Inclusive Political Strategy and Public Narrative
- (2) Inter-faction Dynamics and Negotiation Strategy
- (3) Potential Resistance and Concerns over State Control
- (4) External Resistance, Elite Maneuvering, and Internal Reconciliation

While the second part presents an explanation of the BJP's political process in pushing for the NEP, with an emphasis on:

- (1) Political Strategy and Hindutva Framing
- (2) Coalition Dynamics and Centralization of Legislation
- (3) Opposition from the State and Local Actors
- (4) BJP Elite Maneuvering and Parliamentary Bypass Mechanism

Both sections are organized without drawing on theoretical reflections, in order to maintain focus on the chronology of events and political practices in each context.

3.1 The Case of PKB and the Legislation Process of the Pesantren Law

3.1.1 Inclusive Political Strategy and Public Narrative

This section describes how the National Awakening Party (PKB) developed an inclusive political strategy in advancing the Pesantren Bill by framing the issue as a collective interest of Muslims, rather than as PKB's exclusive agenda. This strategy is particularly important in the context of Indonesia's multiparty system, where cross-factional support is a key requirement for successful legislation.

Marwan Dasopang, Chair of the Working Committee (Panja) for the Pesantren Bill, stated that although PKB was the main initiator, pesantren are also significant for other

political parties. His remark, “Pesantren are not only owned by PKB, but all parties—even Gerindra also have pesantren...,” illustrates PKB’s deliberate avoidance of making exclusive claims (M. Dasopang, personal communication, May 26, 2025). By framing the issue collectively, PKB creates broad relevance and a more open space for dialog with other factions.

Meeting minutes from the DPR Legislation Body support this narrative. Misbakhun, from the Golkar Faction, stated, “This pesantren is a desire that must be fulfilled by the state... The state provides guarantees and certainty that its existence is guaranteed by the state.” This indicates that the narrative built by PKB does not conflict with the ideologies of other parties; in fact, it reinforces the state’s commitment to pesantren.

This inclusive strategy is further reflected in the consistent use of phrases and framing by members across different factions, as seen in multiple interview excerpts and parliamentary transcripts. PKB aimed to ensure that all factions perceived the Pesantren Bill not as a narrow identity-driven initiative, but as a legal instrument that recognizes and protects pesantren within the national legal framework. Through this approach, PKB reduced potential resistance and increased the likelihood of achieving political consensus in parliament.

In this context, an inclusive strategy refers to PKB’s ability to build cross-party support by involving other actors from the beginning, aligning public narratives, and establishing informal, personal, and collaborative political communication.

3.1.2 Inter-Faction Dynamics and Negotiation Strategy

Legislative strategy in a multiparty system requires an adaptive ability in building cross-factional understanding. PKB realized this from the beginning of the Pesantren Bill process, especially when competing and coordinating with PPP, which proposed the Religious Education Law. In a brief report by the working committee on the Pesantren Law, it was conveyed that the two proponents agreed to merge the bill proposed by the PPP (Religious Education) with the Pesantren Bill proposed by the PKB. However, it should be emphasized that this only regulates pesantren and not other forms of religious education; therefore, the name 'Pesantren' from the PKB is used because it will only discuss issues related to pesantren (DPR RI, 2019).

This decision was made based on input from non-Muslim religious groups, including Catholic representatives, who felt that the term religious education was too broad and risked ambiguity in its implementation. They favored legal recognition of pesantren specifically, taking into account their historical value and social contribution. The decision

to unify the two proposals into the Pesantren Bill reflects PKB's ability to accommodate diverse interests and build an inclusive narrative. This process also shows how PKB can win substantial arguments in a formal DPR forum. Through the Legislation Body meeting, it was seen that other factions, including Golkar and NasDem, also supported the formal recognition of pesantren. Although there were objections regarding the budget aspect, PKB was able to maintain the direction of the discussion and explain the urgency of this legislation with a strong historical and functional narrative.

After the Working Committee was formed, Marwan Dasopang from the PKB stated that the Pesantren Bill had become the joint property of the DPR, and was no longer just an initiative of his faction. This statement aligns with the narrative emerging from the minutes of Commission VIII meetings, where several members of other factions also responded to the Bill as a shared agenda to be discussed across party lines. In this context, the PKB's position has shifted from initiator to facilitator, no longer dominating but coordinating discussions to achieve consensus. In the process, PKB used persuasion tactics, not domination, by emphasizing the value of pesantren in the national education system. This strengthened support from various factions, including Golkar, PKS, PDIP, PAN, and NasDem.

Through the legislative body's minutes, political parties in the parliament expressed their respective views. The NasDem faction, through Bachtiar Aly, expressed its support with the proviso that the terminology used in the bill should also include local characteristics such as *dayah* in Aceh and similar institutions in Papua, so that the regulation remains culturally and geographically inclusive and does not become dominant on the island of Java. The PDIP faction also expressed similar views through Henry Yosodiningrat, who stated his support for the substance of the bill as a form of recognition of the role of pesantren in shaping the nation's character. He also highlighted the issue of discrimination and unequal treatment by the state towards religious educational institutions, and proposed that the institutional structure for administering religious education be clarified between the Ministry of Religious Affairs and the Ministry of Education. The PAN faction, through Haerudin, expressed strong support for the Pesantren Bill, emphasizing the importance of equal rights between pesantren and public schools. He shared his personal experience as an alumnus of a *salafiah* pesantren and highlighted the state's unequal treatment in terms of budget access and institutional recognition. Golkar, through Suryo Alam, emphasized the importance of pesantren as education centers that need to be recognized by the state. In addition, the PKS faction, through Al Muzzammil Yusuf, expressed its full support for the Pesantren Bill in a tone similar to that of the PKB. He emphasized that the existence of pesantren has become an integral part of the nation's history, even preceding the existence of the state. In his statement, Al Muzzammil also

highlighted that more than 50% of PKS faction members come from pesantren backgrounds, so they have an internal understanding of the importance of pesantren in shaping the national character. PKS also affirmed that the existence of pesantren is in line with the mandate of reform, particularly Article 31(3) of the 1945 Constitution, which states that the state is obligated to provide education that fosters faith, piety, and noble character. Finally, as the proposing faction, the PKB, through Neng Eem Marhamah Zulfa Hiz, emphasized that it is open to various inputs from other factions and stakeholders, whether related to terminology, institutional substance, or the scope of regulations. She explained that PKB initially proposed a bill titled "Madrasah and Pesantren Education." However, during cross-faction discussions, the term "religious education" was included to reflect the spirit of diversity and avoid exclusivity toward any one religion. Nevertheless, the PKB still proposed that the term "pesantren" be prioritized in the title as a form of historical recognition of the existence of pesantren, which have existed before the state was established and play a significant social, cultural, and educational role in society (DPR RI, 2018).

This dynamic shows that PKB succeeded in building consensus through a cooperative, argumentative, and representative approach. By making the Pesantren Bill a forum for shared aspirations, not exclusive interests, PKB creates a more open space for deliberation. This strategy shows that legislative power is not solely determined by the number of seats, but by the capacity to build narratives and bridge political differences between factions.

3.1.3 Potential Resistance and Concerns over State Control

The discussion on the Pesantren Bill was not only colored by cross-faction support, but also by the emergence of concerns from a number of community organizations (CSOs) and religious groups regarding the possibility of state intervention in the autonomy of pesantren. These concerns center on the potential for the state to over-regulate pesantren activities through mechanisms such as accreditation, licensing, and administrative supervision. Although these regulations are intended to ensure the quality and legality of institutions, some see them as a threat to the independence of pesantren that have existed long before the state was established.

Data from the minutes of the House of Representatives' Legislation Body meetings indicate caution among legislators regarding the potential discrimination and exclusivity that could arise from the formulation of the law. Henry Yosodiningrat from the PDI-P faction expressed concern over possible inequalities in the bill. This suggests that while

there is support for state recognition of pesantren, there are still concerns about representation and policy inclusiveness.

The interview with Marwan Dasopang also revealed the resistance of some Islamic organizations during the legislative process. This was later confirmed by media reports indicating that Muhammadiyah, along with several other Islamic organizations, formally requested a delay in the ratification of the bill, citing concerns over the lack of clarity in the pesantren quality assurance mechanism and the risk of excessive state intervention (Rini, 2019)

Responding to this concern, PKB through Marwan Dasopang emphasized that the main purpose of this bill is to provide legal certainty and formal recognition of the existence of pesantren, not to control their operations. He said that after being included in the Problem Inventory List (DIM), this bill became the agenda of the DPR as a whole, no longer solely belonging to PKB. This shows that PKB does not impose a party agenda, but rather builds legislative consensus with substantive arguments.

PKB's arguments emphasize the importance of recognizing pesantren as educational institutions that have significant historical and social contributions to Indonesian society. This approach is key in assuaging fears of state control, as well as in demonstrating that the proposed regulation is a form of protection, not intervention.

As a result of this dialogical and argumentative approach, resistance to the Pesantren Bill at the legislative level was minimized. Although some parties still voiced concerns about the potential politicization or standardization of pesantren, PKB managed to maintain political support through intensive communication and framing strategies that emphasized national values and the contribution of pesantren in building Islamic civilization in Indonesia.

Furthermore, the discussion will be directed at how political elite maneuvers played an important role in ensuring the ratification of the Pesantren Bill at the plenary level without any substantial rejection.

3.1.4 External Resistance, Elite Maneuvers, and Internal Reconciliation

The final stage of the Pesantren Bill deliberation involved a complex phase—not only in terms of legal substance but also due to the political dynamics occurring both inside and outside parliament. At this point, resistance to the bill no longer came from political factions within the DPR, but rather from outside the formal system—particularly from faith-based civil society organizations that felt excluded or unconvinced about the direction and impact of state regulation on religious educational institutions. Although the bill was

initially framed as a measure to formally recognize pesantren, which had existed long before the state itself, in reality, political maneuvering shaped its final passage.

Following several meetings, and just one day before the level I decision-making session in Commission VIII, the Commission leadership held a series of discussions focused on the Muhammadiyah organization, which had requested a postponement of the bill's passage. Muhammadiyah's main concerns centered on the absence of clear quality assurance mechanisms and the potential for state intervention in institutions that had traditionally maintained autonomy. Muhammadiyah, along with organizations such as Aisyiyah, Al Wasliyah, Persatuan Tarbiyah Islamiyah (PERTI), Persatuan Islam (PERSIS), Dewan Dakwah Islamiyah (DDI), Nahdlatul Wathan (NW), Mathla'ul Anwar, Badan Kerjasama Pondok Pesantren Indonesia (BKsPPI), and Pondok Pesantren Darunnajah, collectively rejected the Pesantren Bill. They highlighted critical concerns, including the overly narrow definition of pesantren, which appeared to exclude the aspirations of many Islamic organizations (Riadi, 2019). Busryo Muqoddas, Chairman of PP Muhammadiyah, also consistently rejected the bill, arguing that it served the interests of a particular group. He firmly stated that "this pesantren bill only accommodated one organization," and was quoted in the media saying, "So it appears who has an interest, for whom it can be concluded that" (Rini, 2019).

On September 18, 2019, a day before the level I decision, Commission VIII leadership again engaged in discussions with Muhammadiyah. According to Marwan Dasopang, Chairman of the Working Committee (Panja) of the Pesantren Bill, while the concerns of Muhammadiyah were taken seriously, internally he had convinced Commission VIII Chair Ali Taher that deliberations at the committee level had been completed. Thus, what remained was not a debate over legal content, but rather external pressure from actors who felt excluded from the process. Dasopang noted: if Muhammadiyah's objections were accommodated at this stage, the decision-making process might shift to a vote—potentially slowing the legislative process and disrupting PKB's carefully constructed strategy. He emphasized that "other religious groups should not feel that this bill only accommodates the interests of one Islamic group," and that "this bill should be a gift for everyone, not just one party."

In response to external pressures, Marwan Dasopang requested that five religious organizations—including Muhammadiyah—resubmit formal statements of support to strengthen the socio-political legitimacy of the bill and counter the impression that the legislative process lacked inclusivity. Objections from Muhammadiyah and other civil society groups emerged in two stages: during a joint hearing with Commission VIII, and the day before the level I decision. These responses illustrate how resistance from major

Islamic organizations was addressed through clarification efforts and formal outreach to prevent open conflict near the end of the 2014–2019 DPR term.

Simultaneously, internal parliamentary dynamics required political reconciliation at the elite level. Even after a bill is passed in the commission, it can still face procedural hurdles during the plenary session. An interview explained: “When it was time to be brought to the plenary session, we, the committee, met with Bambang Soesatyo (Speaker of the House of Representatives, 2014–2019) to convey that no organizations opposed the bill. It turned out that in the room was also Ali Taher (Chairman of Commission VIII, 2014–2019) lobbying the Speaker not to allow a vote. Suddenly, Fahri Hamzah (Deputy Speaker of the House, 2014–2019) came in and asked whether the bill had been passed at level I or in the commission. I replied that it had. Fahri Hamzah then said, ‘If it has been passed in the commission, then no one can obstruct it—it must go to plenary. Take notes—bring it to plenary tomorrow.’”

This moment of coordination between Marwan Dasopang, Bambang Soesatyo, and Fahri Hamzah became pivotal in ensuring the bill advanced without further obstruction. Their informal consensus illustrates how high-level elite negotiations played a decisive role. The effort to consolidate political will was critical. Although Marwan Dasopang initially intended to deliver the plenary speech as Chairman of the Working Committee, this was later reassigned to Ali Taher in order to preserve political symbolism and institutional protocol. This shift also reflects how divergences between mass organizations and their representatives in parliament became sites of compromise. Ultimately, all factions agreed to support the Pesantren Bill, albeit with special notes from Muhammadiyah.

According to the interview, resistance from civil society groups did occur, although not in the form of public demonstrations. Instead, the process highlighted the need for political lobbying, clarification, and symbolic consensus-building. Dasopang repeatedly emphasized that there was no “bartering” in the ratification process. Nevertheless, he actively maneuvered to align PKB’s interests with legislative progress. In the end, Dasopang emerged politically strengthened, and the bill granted formal recognition to pesantren.

Once elite reconciliation had taken place, the Pesantren Bill proceeded to plenary. One final political episode occurred when Dasopang’s plan to deliver a speech was once again blocked. He recounted: “Finally, it was brought to plenary. At first, I insisted as Chairman of the Working Committee to deliver a closing speech. But again, Muhammadiyah rejected it. I persuaded Ali Taher again. ‘Mr. Ali, it’s not appropriate for the vice-chair (Marwan Dasopang) to deliver this—it must be the chair (Ali Taher).’ I had only one concern: Muhammadiyah rejects it, but their cadres support it. The great thing is, Ali Taher agreed. I believe that because of the substance, there were no obstacles. In the

end, all factions supported the Pesantren Bill—except Muhammadiyah. Those that initially rejected the bill were not major organizations like NU and Muhammadiyah.”

This final consolidation phase highlights how tactical persuasion was employed to maintain political formality and avoid symbolic missteps. Dasopang also described how initial rejection from Muhammadiyah’s elites was softened through informal engagements with parliamentary leaders. The outcome reflects the importance of elite reconciliation in ensuring procedural continuity and legislative success.

Therefore, the final phase of the Pesantren Bill’s passage did not solely depend on legal substance. Rather, it hinged on the ability of political actors to manage external resistance and build internal consensus among elite stakeholders.

3.2 BJP Case and NEP 2020 Policy Strategy

3.2.1 Political Strategy and Hindutva Framing

One of the main strategies employed by the Bharatiya Janata Party (BJP) in its effort to establish a national education policy was to frame the program as part of India’s national cultural project, Hindutva. This ideology has been a historical and ideological foundation for the BJP for a long time. In the context of NEP 2020, Hindutva is present not only as an ideological background, but also as an operational framework in formulating the education policy agenda (Biswas, 2020). The BJP government actively promotes the narrative of the importance of "decolonizing education" and "revitalizing Indian values", which ultimately provides a large space for the discourse of Hinduism to enter the national education system. This is evident from the selection of terms such as "Bharatiya knowledge systems" and "Indian ethos" in official NEP documents that subtly shepherd the policy direction towards Hindu values, without explicitly listing them as religious teachings (Nanda, 2024).

This framing strategy is also supported by the BJP’s ability to work closely with the RSS, historically a major actor in the Hindutva network, exerting direct influence in the drafting of the NEP through its affiliated institutions such as the Bharatiya Shikshan Mandal and Shiksha Sanskriti Utthan Nyas. Both have been actively involved since 2016 in providing conceptual inputs, particularly in terms of overhauling the history curriculum, emphasizing the values of the "Indian ethos," and removing the influence of "colonial" and "Islamist narratives" in national history lessons (Ramachandran, 2020). Through these affiliations, the RSS not only acts as a pressure group, but also as a shaper of the substantive agenda of state education policy. Some analysts refer to this process as a form of "saffronization" of public knowledge—an ideological attempt to conform the education system to the dominant Hindu cultural narrative (Dey, 2025a; The Hindu, 2020a). It is clear from this that there is a relationship between the organization and the political party,

particularly through the more specific affiliated institutions that are hosted by the RSS organization.

Furthermore, this framing strategy went hand in hand with the BJP's dominating political power at the time. With full control over parliament, the government did not feel the need to debate the substance of the NEP openly in either the Lok Sabha or the Rajya Sabha. The public consultation process was selective and elitist. Although the government claims to have opened up space for civil society, reports from several organizations indicate that many inputs were not seriously accommodated, particularly from states controlled by opposition parties.

In this context, Hindutva has not only become a tool of political legitimization, but also a technocratic instrument to redesign the country's policy structure. The NEP 2020 was designed not merely for the sake of efficiency or quality of education, but to build a new cultural base in line with the BJP's ideological vision. This policy, with all its technical complexities and modernization jargon, essentially carries the agenda of reconstructing a narrower national identity. This strategy made the NEP a policy laden with political symbolism, but packaged in modern and progressive administrative language.

3.2.2 Coalition Dynamics and Centralization of Legislation

One of the prominent aspects of the NEP formation process in India is how this policy did not go through a formal legislative mechanism in parliament, especially the Lok Sabha and Rajya Sabha. This marked the centralization of decision-making in the hands of the executive, in this case a cabinet dominated by the Bharatiya Janata Party (BJP), without involving open cross-party deliberation. This is an important difference compared to the typical pattern of lawmaking in India's parliamentary system.

The 60-page document affirmed the five pillars of access, quality, equity, affordability and accountability, while emphasizing "holistic-multidisciplinary" education rooted in "Indian values and traditions" (Patil & Patil, 2023). NEP policies were formulated almost entirely through central ministries-specifically the Ministry of Education-with minimal cross-party or state consultations. Not only that, the formulation of the NEP is referred to as a *high-command culture-intensively* involving the intellectual network of the Rashtriya Swayamsevak Sangh (RSS), but relatively excluding consultations with parliament, state governments, and the independent academic community (Shrivastava, 2020). This centralization not only led to criticism for bypassing formal legislative mechanisms, but also triggered fears of "saffronization" or the so-called "Hinduization" of the curriculum-an attempt to homogenize historical and cultural narratives according to the Hindutva agenda-which became a point of resistance from secular opposition and

pluralistic federal states. This top-down model illustrates the BJP's preference for efficiency of control, but its weakness in garnering complementary institutional support. A number of important processes, such as bill drafting, were not opened to broad public forums or formal legislative consultations, reducing political legitimacy in the eyes of opposition actors and local stakeholders.

It is worth noting that the 2020 NEP was not proposed through formal legislative channels in the Indian parliament, but rather passed as an administrative policy by the central government cabinet through a bypass parliament. However, this has been done only as an initial discussion (CPIM, 2023). Nonetheless, this policy remains relevant for comparative analysis because the NEP represents the BJP's efforts-as the dominant ideological party-in pushing religious values into national education policy. Therefore, the comparison with the PKB case is not done at the level of the legal product, but rather at the political strategy used by the party in dealing with the public and institutional legitimization process in a plural democratic system.

This shows that the BJP is using its majority in the executive to push the NEP agenda while deliberately avoiding the formation of a legislative coalition or cross-party consensus. By bypassing parliament, the BJP avoids public debate that could potentially delay or derail the implementation of the NEP. This strategy reflects a centralized and top-down decision-making pattern, where control over the narrative and substance of policy lies entirely in the hands of the central executive elite.

The RSS, historically a major actor in the Hindutva network, exerted direct influence in the drafting of the NEP through its affiliated institutions such as the Bharatiya Shikshan Mandal and Shiksha Sanskriti Utthan Nyas. Both have been actively involved since 2016 in providing conceptual inputs, particularly in terms of overhauling the history curriculum, emphasizing the values of the "Indian ethos," and removing the influence of "colonial" and "Islamist narratives" in national history lessons (Peerzada & Sharma, 2024). Through these affiliations, the RSS not only acts as a pressure group, but also as a shaper of the substantive agenda of state education policy. Some analysts refer to this process as a form of "saffronization" of public knowledge-an ideological attempt to conform the education system to the dominant Hindu cultural narrative (Dey, 2025b; The Hindu, 2020b). It is clear from this that there is a relationship between these organizations and political parties, particularly through the more specific affiliated institutions that are hosted by RSS organizations.

This centralization is also evident in the way the NEP was announced in person by Prime Minister Narendra Modi, with the delivery emphasizing the vision of a major transformation in the education sector. This was done without accommodating inputs from opposition parties or state governments with jurisdiction over education. The absence of

adequate public debate and legislative endorsement reinforced the impression that the process was one-sided and highly concentrated on the central government elite. This model poses a challenge to deliberative democracy as it reduces the space for legislative and public participation in national strategic policy processes.

Thus, coalition dynamics in the context of the NEP did not take place in the parliamentary arena, but rather as an internal process within the BJP-controlled executive. This suggests that the BJP chose to avoid open political contestation and replaced it with a more centralized and efficient administrative control mechanism from a governance point of view, but raises criticism from a democratic participation perspective.

3.2.3 Resistance from State and Local Actors

One of the main obstacles in the implementation of NEP 2020 is resistance from states and local actors. Although the NEP is formally a national policy, in practice education is a concurrent subject between the central and state governments in India. This makes the implementation of the NEP require the approval and adaptation of each state government. Many of the opposition-controlled states such as Tamil Nadu, Kerala, and West Bengal have expressed opposition to the NEP, especially on the aspects of language, curriculum centralization, and education policy-making that are considered too top-down and ignore the local context.

Although the National Education Policy (NEP) 2020 was approved by the cabinet and launched as a national policy document, it failed to be institutionalized through the formal legislative process in the Indian parliament. This failure was not solely due to the BJP's limited power, but reflected a systematic strategy to avoid the usual legislative channels—which ultimately weakened the political and institutional legitimacy of the policy. Within the framework of this research hypothesis, the BJP's move to avoid deliberative processes in parliament indicates the absence of cross-actor consensus, while also pointing to tensions between the substance of the NEP and the fundamental values of the Indian constitutional system, such as federalism and secularism. The rejection of NEP discussions in the Rajya Sabha, where the BJP does not hold a majority, and opposition allegations that the BJP deliberately bypassed the legislative process, reinforce the argument that the failure to institutionalize the NEP is not a technical issue but rather a consequence of weak normative legitimacy and the absence of political consensus (CPIM, 2020; Rampal, 2020).

Second, the involvement of administrative instruments such as the influence of the Ministry of Education, the University Grants Commission (UGC), and the National Testing Agency (NTA) in the implementation of the NEP is a deliberate form of legislative bypass (Jayal, 2020). This model is carried out through the establishment of central committees

and ordinances that operate outside the parliamentary mechanism, exposing executive dominance that potentially contradicts the principle of checks-and-balances in the Indian constitution. It also shows how the BJP government is consciously implementing direct cabinet decisions as discussion in the Lok Sabha and Rajya Sabha would be denied, not to mention that states such as West Bengal are also not consulted. Such decisions reflect a bypass of the formal legislative mechanism, which the BJP government avoids because it will never be enacted into law.

Third, the states' response highlights the shaken dynamics of federalism. States such as Tamil Nadu, Kerala, and West Bengal rejected the NEP based on the argument that the policy violated their legitimacy in customizing the education system according to local needs. The emphasis on learning "Hindi" only served to turn India into a whole country. States like West Bengal even took a legal position through the Supreme Court, asserting that the NEP was administrative in nature and not constitutionally binding on the states. This dynamic occurred because the three states agreed and refused to implement the NEP in their states. With the same narrative, the BJP government asked the state to implement the NEP, but the Supreme Court refused because the court can only intervene if citizens violate the constitution in a binding manner (Law Trend, 2025). This meant that the NEP could not be given high legal legitimacy despite the political forces deployed. Public observers, academics, teachers' unions, and organizations in various states are highly concerned about the autonomy of states in regulating education, which could mean more job cuts due to central policies (New Indian Express, 2021). This concern is heightened by the fact that the NEP appears to be an attempt to model Indian education according to the BJP's wishes. It is also noticeable how the NEP actually "lacks substance". Criticism has been raised that the policy document is normative and rhetorical - mentioning access and equity as goals, but without legal mechanisms that ensure the population's right to education and leaving aside the framework of constitutional safeguards such as in the Right to Education Act (Patnaik, 2022). Finally, there are concerns that the NEP carries an agenda of commercialization and privatization, especially through the planned involvement of foreign institutions and the establishment of HECI (Higher Education Council of India). Many argue that this scheme could widen the gap in access to education and weaken public oversight mechanisms over educational institutions (Chakraborty, 2021).

Overall, the resistance from states and local actors to the NEP shows how the federal structure and identity pluralism in India pose a real challenge to the BJP in imposing central policies. This resistance is also an indication that the formal legislative process is not the only field of policy contestation, but also the arena of power relations between the center and the regions and between the state and civil society.

3.2.4 BJP Elite Maneuvers and the Bypassing of Parliamentary Procedures

After the NEP 2020 document was made public, attention was drawn to how this policy was managed by the Central Government without going through the formal procedures of parliamentary discussion. There was no evidence of in-depth discussions in the Lok Sabha or Rajya Sabha, as confirmed in a report by The Hindu (2020), which stated that "the NEP was not passed by parliament and states were not seriously involved in its drafting." In fact, in a federal system of government like India, education policy should ideally involve consultation between the center and the states (The Hindu, 2020a).

Instead of being formally discussed in the legislative process, the NEP was announced through a press conference by the Education Minister and endorsed by PM Narendra Modi. The policy was issued as a ministerial regulation and not as a piece of legislation, so it did not undergo the same open discussion as a bill. This raised concerns from some states and education stakeholders, who felt that the central government was trying to circumvent the deliberative process and opt for an administrative route.

In its implementation efforts, the BJP was dominant. Sharma's study explains how the BJP's approach to the National Education Policy (NEP) was described as partly personality-centered and aligned with the BJP's Hindutva ideology, reflecting a top-down strategy where the party's vision and leadership strongly influenced policy formulation and implementation (Sharma, 2016). The BJP's dominance was also seen when the NEP began to be highlighted as a policy that "lacked coordination" because it did not involve stakeholders and regulatory agencies at both the state and central levels, this lack of coordination made the legitimacy of the NEP low and there was a lot of criticism (Kulal et al., 2024).

This bypass tactic is also evident in the absence of political debate in the national parliament on the NEP, in contrast to other major policies that usually go through the legislative process. In interviews and media reports, a number of figures from opposition parties questioned why a policy as big as the NEP was not brought to the parliamentary forum. On the other hand, the BJP's approach made it easier to accelerate implementation in areas under its control.

This practice shows how the BJP uses its power in the executive and bureaucracy to secure the policy agenda without opening up space for formal debate. The NEP became an example of how central power was used to dictate policy direction without the need to rely on parliamentary consensus.

3.3 Conclusion of the Case Study

This chapter has presented two different political processes of promoting values-based policies by ideological parties in two pluralistic democracies. The first case shows how an Islam-based party, through a complex coalition and interaction with state actors and civil society, successfully pushed for the enactment of the Pesantren Law. The narrative depicted shows cross-faction involvement, internal party negotiations, and efforts to articulate policy legitimacy into the formal parliamentary space. All of these dynamics occur in an open space of debate, but are controlled by the logic of compromise developed by key actors.

Meanwhile, the second case shows a different dynamic. A dominant party with nationalist and religious interests tried to push for major changes in the education sector through the NEP 2020. The process did not appear to go through conventional legislative channels, and faced challenges from within the structures of federalism as well as resistance from the states. Outside of parliament, there were also dynamics of resistance from civil society groups and education organizations who considered the policy to be non-inclusive. While the policy continued to be implemented through administrative instruments, the formal legislative process never took place, and political support was never fully consolidated.

These two narratives provide the starting point for testing the theoretical framework formulated earlier. The next chapter will specifically confront two hypotheses against this case presentation, in order to answer the main question: why did one party succeed in passing a values-based policy, while the other failed - despite both having relatively strong political positions.

CHAPTER IV

COMPARATIVE ANALYSIS AND HYPOTHESIS TESTING

4.1 Comparative Analysis

This chapter presents a comparative analysis of two main cases: the success of the National Awakening Party (PKB) in passing the Islamic Boarding School Law in Indonesia and the failure of the Bharatiya Janata Party (BJP) in institutionalizing the National Education Policy (NEP) in India. Using a structured-focused comparative approach, this analysis tests two hypotheses formulated within a theoretical framework: the main hypothesis emphasizes the importance of political consensus as a key variable in legislative success, while the counter-hypothesis highlights the normative distance between policy values and constitutional principles as determinants of resistance and final legislative outcomes. By placing both cases within the same analytical framework, this chapter aims to explain the variation in outcomes and describe how the PKB and BJP parties, which promote value-based and ideological policies, interact with institutional structures and normative constraints in the policy-making process in a pluralistic democracy.

4.2 Testing the Main Hypothesis: Political Consensus

4.2.1 The case of PKB

As explained above, the main hypothesis in this study states that the success of ideological policy legislation is determined by inclusive political strategies and the party's ability to build consensus across actors. That is, it asserts that the success of legislation is not determined by formal power, but rather how political parties can manage resistance, negotiate, and build broad support. The case study of the National Awakening Party (PKB) and the ratification of the Pesantren Law in Indonesia is a relevant empirical testing story. In the context of a multiparty democracy with diverse ideological representation, the success of the PKB shows that numerical or electoral strength in parliament is not the only determining factor for successful legislation. Instead, the party's capacity to manage political resistance, devise inclusive strategies, and build understanding across political party factions is crucial.

It is important to underline that political strategies such as inclusive issue framing or cross-actor negotiations are not the main independent variables in the causal framework of this study, but rather part of the mechanism that explains how consensus can be formed. In other words, political strategies are seen as causal pathways that enable or hinder the achievement of political consensus, which in this study is the main variable tested against the success or failure of legislation.

PKB started this process with a collective issue framing strategy. Instead of claiming the Pesantren Bill as the exclusive product of the party, PKB narrated pesantren as the heritage of Muslims as a whole. This approach generated broad resonance, as it did not trigger identity antagonism among other political actors. This framing was reinforced by cross-faction communication and public statements from the Chairman of Panja, Marwan Dasopang. These actions were effective in reducing initial resistance, especially from nationalist parties and groups sensitive to the politicization of religion in public policy.

PKB also took the path of substantive compromise with other parties, particularly the PPP. When the PPP proposed a broader Religious Education Bill, PKB chose a negotiated approach by simplifying the scope of the legislation to be specific to pesantren. This decision not only reduced resistance from other parties and religious minority groups such as Catholics, but also demonstrated PKB's flexibility in responding to political dynamics. This compromise shows that consensus is formed through an exchange of interests that is not transactional, but rooted in a willingness to modify policy preferences in order to gain mutual support.

Outside of parliament, PKB faces resistance from Islamic organizations such as Muhammadiyah and a number of independent Islamic educational institutions. Their main criticism focused on the possibility that state recognition of pesantren would be followed by control or standardization mechanisms. To respond to this, PKB reformulated the substance of the Pesantren Law as a form of recognition, not subordination. This was communicated through public hearings and informal discussions, and reinforced by political statements that symbolically guaranteed the autonomy of pesantren. PKB also requested statements of support from several large mass organizations to restore social legitimacy that had wavered. This approach reflects how consensus is built through interactions with non-state actors, not just through formal alliances in parliament.

Another important aspect of PKB's consensual strategy is the use of informal approaches at the elite level. Marwan Dasopang lobbied intensively with DPR leaders, including the Speaker and Deputy Speaker, to ensure that the political decisions reached in the Panja were not overturned in the plenary forum. This strategy was not only aimed at securing the substance of the regulation, but also maintaining procedural stability, which is crucial in a multiparty legislative system. By avoiding open voting, PKB prevents political fragmentation that could potentially derail the previous agreement. This is a form of procedural consensus that strengthens the party's position in the formal legislative arena.

In addition to internal and external strategies, PKB also builds functional alliances with civil society groups, especially Nahdlatul Ulama. NU is not only a contributor of moral authority to the substance of the Pesantren Bill, but also a bridge of communication

between PKB and various other religious organizations. On many occasions, NU's support has been used by PKB to calm the concerns of other groups regarding the exclusivity or dominance of certain interests in this bill. Thus, PKB's social legitimacy is not only built on the basis of the party's position in parliament, but also through broader cultural and social networks.

Overall, the process undertaken by PKB reflects a political strategy that is not only institutionally adaptive, but also reflective of the existing map of ideological resistance. The consensus reached is not the result of majority domination, but rather the consequence of a process of value articulation, cross-group compromise, and open political communication arrangement. In this case, PKB is able to utilize its ideological flexibility and strategic position in the government to bridge various interests.

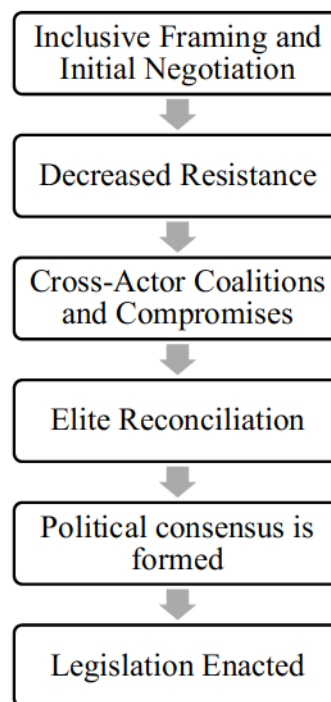


Figure 3. Causal Flow of PKB Main Hypothesis

The successful legislative process of the Pesantren Law by PKB can be briefly mapped into five main causal steps that are deliberatively and strategically interconnected. First, PKB implemented an inclusive issue framing strategy, while opening up negotiation space from an early stage. By avoiding exclusive claims against pesantren and emphasizing their universality in the Indonesian Islamic tradition, PKB built a non-confrontational discourse base. Second, this approach is effective in reducing political and social resistance, both from other parties and civil society organizations that initially showed objections to the policy direction. Resistance is reduced not because it is suppressed, but because it is corrected through discursive space.

The third step is PKB's ability to form coalitions and make substantive compromises across actors. This did not only happen inside parliament, such as with the PPP, but also outside parliament, particularly through relations with large organizations such as Nahdlatul Ulama and other Islamic organizations. Fourth, elite reconciliation and the provision of symbolic support are determinants of procedural stability. In a complex multiparty system, avoiding open voting in plenary through informal channels demonstrates PKB's ability to secure decisions that have been reached at the technical level. Finally, the political consensus formed from this entire process paved the way for the passage of the legislation. Consensus is not just the result of a seat count, but the fruit of a participatory strategy designed to reduce resistance, build trust, and bridge differences in a deliberative manner.

4.2.2 Testing the Main Hypothesis through the BJP Case

The main hypothesis in this study states that the success of ideological policy legislation is determined by inclusive political strategies and the party's ability to build consensus across actors. In this context, the case of the Bharatiya Janata Party (BJP) in pushing for the 2020 National Education Policy (NEP) in India is an important case to test whether the absence of a consensual strategy led to the failure of institutionalization of the policy. Unlike PKB, which builds coalitions and social legitimacy, the BJP prioritizes a dominative strategy with a top-down orientation that minimizes opportunities for consensus formation across institutions and political actors.

Similar to the PKB context, it is also important to emphasize that the BJP's exclusive strategy and dominative approach are not independent variables in the causal framework of this study. They are part of the mechanism that explains why political consensus is not formed. In other words, the exclusionary strategy acts as a causal pathway that impedes the achievement of political consensus-the main variable tested in the causal relationship with policy institutionalization failure.

After returning to power in 2014, the BJP pursued an education agenda through the NEP that was laden with Hindutva ideological values. The drafting of the NEP was led by the central executive without involving a formal legislative process in the Indian parliament. The policy document was developed administratively by the Ministry of Education and the intellectual network of the Rashtriya Swayamsevak Sangh (RSS), without open deliberation with states, opposition parties or independent education organizations.

This strategy demonstrates the BJP's tendency to ignore legislative forums such as the Lok Sabha and Rajya Sabha, and opt for a parliamentary bypass through cabinet

decisions. Although the BJP has dominant electoral power in the Lok Sabha, it does not have a majority in the Rajya Sabha. The choice not to take the NEP to parliament reflects fears of resistance and reinforces the assumption that the BJP has no intention of building a legislative consensus.

Furthermore, resistance to the NEP emerged not only from parliament, but also from states such as Tamil Nadu, Kerala, and West Bengal. This resistance occurred because the substance of the NEP was considered incompatible with the spirit of pluralism and federalism of the Indian constitution. This tension indicates the absence of inclusive strategies in the policy process-both in drafting, consultation, and implementation. In the logic of the main hypothesis, widespread resistance is a direct result of not opening up space for discussion and failing to form consensus across actors.

The BJP also did not provide political or symbolic compensation to groups that rejected the NEP. Unlike the PKB, which actively managed social resistance through framing and public consultation, the BJP did not hold consultative forums or spaces for substantial compromise. This suggests that exclusionary strategies are a major obstacle in the process of institutionalizing ideological policies.

The absence of a consensual strategy is also evident in the vertical relationship between the BJP and the RSS, which reinforces the exclusive character of NEP policies. Affiliations with institutions such as the Bharatiya Shikshan Mandal and Shiksha Sanskriti Utthan Nyas show that the substance of policy is shaped by ideological networks that are not open to plurality. As a result, the NEP was rejected as a national product by various stakeholders outside the BJP's ideological base.

In this context, the BJP's strategy failed to establish political legitimacy across actors. The consensus expected in a pluralistic democratic system was not achieved, as the NEP policy was seen more as an expression of the dominant ideology rather than the result of a discussion process framed around inclusive issues. This failure supports the assumption that electoral power cannot guarantee the success of legislation if it is not accompanied by efforts to build political consensus. Causally, the BJP's failure to push the NEP into legislation can be assembled in the following mechanism:

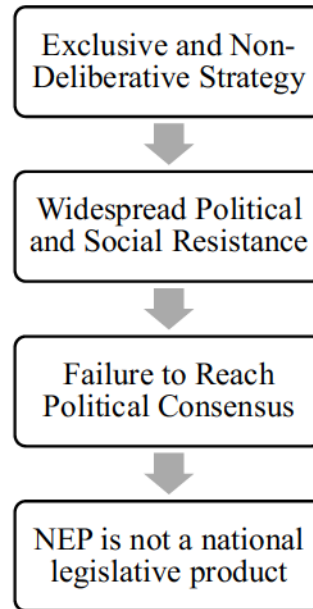


Figure 4. Causal Flow of BJP Main Hypothesis

The BJP's failure to institutionalize the National Education Policy (NEP) as a national legislative product can be summarized through four main intertwined causal steps. First, the BJP adopted an exclusive and non-deliberative strategy from the early stages of policy formulation. The NEP was developed administratively by ministries and ideological networks such as the RSS, without involving legislative forums or cross-party consultations and civil society organizations. This closedness precluded the formation of a more inclusive political consensus.

Second, the exclusionary approach triggered political and social resistance from various actors. Opposition came from opposition parties, states controlled by non-BJP parties, as well as civil society groups and independent educational institutions. The substance of the policy, which was perceived to be inconsistent with the spirit of Indian pluralism and federalism, reinforced this resistance and exposed the absence of cross-sectoral support.

Third, as a direct consequence of this resistance, the BJP failed to forge a broad political consensus. The absence of deliberative space and substantive compromise meant that the policy did not gain formal legitimacy as a joint project across political actors. The NEP project remained an administrative initiative of the ruling party, not the result of a national dialog.

Fourth, the failure of consensus had a direct impact on the NEP not being ratified as a national legislative product. This case shows that electoral power is not enough to drive the success of ideological policies without the capacity to build political consensus as the main requirement for legitimacy in a pluralistic democratic system.

Thus, the BJP case shows that without an inclusive strategy and consensus-building ability, the dominant ideological party can still fail in institutionalizing policies. This provides negative reinforcement to the main hypothesis-that political consensus is a necessary condition for successful legislation in pluralistic systems.

4.2.3 Comparative Reflection of the Main Hypothesis

The results of testing the main hypothesis in the two cases studied in this research show that the ability to build political consensus across actors is a key determinant in the process of legislating ideological policies in a pluralistic democratic system. The study of PKB shows how deliberative, open, and negotiative political strategies gradually reduce resistance, build support across institutions, and generate sufficient political legitimacy to pass the Pesantren Law. In contrast, in the case of the BJP, an exclusionary and dominative strategy not only failed to reduce resistance, but actually extended it to the state and civil society levels, which ultimately prevented the NEP from becoming national legislation.

This comparison strengthens the argument that electoral power alone is not enough to guarantee the successful legislation of ideological policies. The PKB, which is an intermediate party in the legislative power structure, succeeded because it built consensus through substantial compromises and social alliances. The BJP, despite being electorally dominant in the Lok Sabha, failed to initiate an inclusive deliberative space, and therefore was unable to generate broad political legitimacy. In other words, success in consensus-building is determined more by the political approach adopted than the number of seats or formal power the party holds.

These reflections suggest that the main hypothesis-which positions consensus as a determinant variable of legislative success-has strong explanatory power in explaining the variation in outcomes between two ideological parties. In addition, this finding confirms that in a pluralistic multiparty system, political parties are required not only to strategize to win votes, but also to build understanding across social and political groups. Consensus in this context is not just the result of elite negotiations, but a political process that demands value articulation, narrative adjustment, and resistance management that is sensitive to social configurations.

In the context of PKB, consensus is formed through inclusive framing strategies, compromise with fellow Islamic parties, and the symbolic role of NU in securing social legitimacy. This context is in line with the analysis outlined by Junk and Rasmussen where issue framing is one of the tools or strategies that can be used by political actors in modern policy making. Policies that can be successfully voiced usually have several factors, by turning individual issues into collective issues can create dominance so that it will show

this is a common interest, by distancing things that are vis-à-vis which are usually framed as personal and isolated interests. By framing the issue into a collective interest, it will create a unified message that makes one voice, so that it can reduce high political dynamics and increase the possibility of being heard by policy makers, thus making individual issues a collectively relevant issue (Junk & Rasmussen, 2019). Due to its ability to frame the issue, PKB was able to maneuver politically to overcome external opposition that wanted to block the passage of the law. Tambunan's study also explains how political parties and their elites use cartel strategies such as orders to parliamentary factions, engage in political lobbying, and organize collusion both within the party and between state officials and the party to secure legislative outcomes, especially when facing opposition or disputes (Tambunan, 2023).

The efforts made by the PKB then resulted in a process of consensus formation. When consensus is formed, it will create multiparty cooperation, proportional representation, and inclusive decision-making processes that allow various interests to be represented and negotiated (Lijphart, 2012). Political parties act as rational actors who strategically engage internal and external stakeholders to build legitimacy and generate broad-based support within institutional boundaries (Strom, 1990). This strategy can make it possible for political parties to embrace external and internal actors to build institutional legitimacy for a political agenda to be achieved. When consensus is formed, coalition partners or other veto holders increase the likelihood of passing legislation. This is in line with the idea that coalition cohesion and bargaining are essential to overcome veto points in the legislative process (Tsebelis, 1995). Thus, veto players such as Bambang Soesatyo and Ali Taher as chairman of the DPR and Deputy Chair of Commission VIII become veto players that can increase the success of the Pesantren Bill.

Meanwhile, in the case of the BJP, a top-down strategy without deliberative mechanisms actually increases the political and cultural distance between policy actors and the wider socio-political environment. This proves that consensus is not just an administrative or procedural mechanism, but a reflection of the engagement and encounter between actors in the legislative process. Indeed, this proves that consensus is not just an administrative or procedural mechanism, but a reflection of the engagement and encounter between actors in the legislative process. Top-down strategies that exclude deliberative mechanisms for consensus building create more de facto 'veto players' at the broader socio-political level-individuals or groups who may not have a formal veto, but whose resistance can prevent policy implementation or sustainability. This means that, in accordance with Tsebelis' analysis, veto players are present in political parties such as the Congress Party and the CPIM (Communist Party of India Marxist) who always criticize and lead to failure. This context is in line with the results of research from Bose that the structure of Indian

federalism makes states as collective veto players who must be actively involved in the process of forming national policies such as Kerala, Tamil Nadu. Their absence in the invitation of discussions and differences of views certainly makes this policy fail (Bose, 2010). In the case of the BJP and NEP, the inability to build coalitions across states indicates not only a failure of legislative strategy, but also a failure to understand the federal political architecture itself. This lack of consensus at the state-center level reinforces the assumption that exclusionary strategies cannot overcome the challenge of political veto in a pluralistic system."

Thus, this section confirms that the main hypothesis is able to convincingly explain the variation between the success of the PKB and the failure of the BJP. However, to test the limits of this hypothesis, the next chapter will analyze whether the distance of policy values to the state constitution also plays a role as a determinant in determining the success or failure of ideological policy legislation.

4.3 Rival Hypothesis Testing: Value Distance to the Constitution

4.3.1 The case of PKB and the Pesantren Law

The rival hypothesis in this study states that the distance between policy values and the basic values of the constitution is the main determinant of the success or failure of ideological policy legislation. In this context, the closer the policy substance is to constitutional norms, the less likely resistance will be and the chances of legislation will increase. For this reason, it is important to examine whether PKB's success in pushing for the ratification of the Pesantren Law can also be explained by the small normative distance between the policy content and the ideological-constitutional framework of the Indonesian state.

The Pesantren Law that was promoted by PKB from the beginning did not break the constitutional framework frontally. On the contrary, the substance of this law emphasizes the recognition of the existence of traditional Islamic educational institutions as a legitimate part of the national education system. The term used is "recognition", not uniformity or subordination, and does not contain elements that contradict the principle of religious pluralism as guaranteed by Pancasila and Article 29 of the 1945 Constitution. Thus, the substance of the policy remains within the constitutional corridor and does not raise systemic concerns from other religious groups.

This is reflected in the reactions of non-NU mass organizations and non-Islamic parties that tend not to reject the contents of the Pesantren Law frontally. Muhammadiyah, for example, although it had expressed concerns about the potential expansion of state control over religious education institutions, eventually accepted the framework of the law

after confirmation that there was no element of coercion or homogenization. In several forums, PKB actively conveyed that this law was not hegemonic, but rather a recognition of the sociological reality of pesantren in Indonesia.

Political resistance from nationalist parties such as PDI-P and Golkar also did not show high intensity. This is not only because of PKB's inclusive strategic approach, but also because the substance of the policy does not deviate from the general direction of national education development. The Pesantren Law is articulated as a form of affirmation of local needs that have not been accommodated by the centralized formal education system. This argumentation is widely accepted because it does not threaten the ideological structure of the state, but rather enriches institutional differentiation within the framework of the Republic of Indonesia.

Thus, resistance to the Pesantren Law is more administrative and technical than ideological or constitutional. Criticisms of overlap with the National Education Law or concerns about financing did not generate significant enough pressure to derail the legislative process. On the contrary, after several rounds of negotiations, the bill was agreed upon by the majority of factions and passed without an open vote. This shows that the distance between policy values and the constitution is at a safe and acceptable level.

It is also important to note that in official speeches and supporting documents, PKB avoids using confrontational or theocentric terms. The narratives used are those of nationality, inclusiveness, and the contribution of pesantren to nationalism. This indicates actors' awareness that the success of ideological legislation is largely determined by the extent to which the narrative and substance of the policy can be linked to the basic values of the state. The framing not only functions as a communication strategy, but also as an articulation of substantive positions towards the constitutional framework.

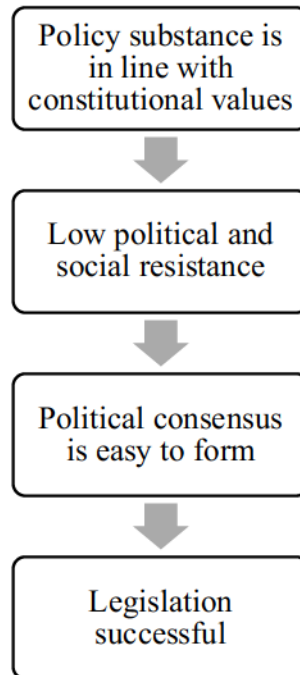


Figure 5. Causal Flow of PKB Rival Hypothesis

Causally, PKB's success in pushing for the ratification of the Pesantren Law can be explained through a chain of relationships between the small distance between policy values and the basic values of the constitution, low political and social resistance, the opening of consensus space, and the achievement of legislation. The substance of the Pesantren Law from the beginning was designed within the framework of recognition, not domination, so that it did not pose a threat to the principle of pluralism or freedom of religion guaranteed by the Indonesian constitution. This meant that actors outside of PKB's support base, including non-NU mass organizations and nationalist parties, did not respond with ideological resistance, but only administrative and technical resistance.

With relatively low levels of resistance, the deliberative space remains open for negotiation and compromise. PKB then utilized this space to build consensus across actors without facing significant value barriers. Thus, the success of the Pesantren Law is not only understood as a result of party strategy, but also as a consequence of a normative policy position that does not deviate from constitutional foundations. This causal chain strengthens the validity of the hypothesis that value distance is an important determinant in explaining the success of ideological policy legislation in the context of pluralistic democracy.

Thus, in the case of PKB, the successful ratification of the Pesantren Law can also be explained through the small value distance between the policy substance and the basic values of the constitution. When the policy substance is convergent with widely accepted norms, resistance is minimal, consensus is easier to form, and the opportunity for

legislation increases significantly. Therefore, the rival hypothesis in this context receives strong empirical support.

4.3.2 BJP and NEP 2020 Case

The rival hypothesis in this study states that the success or failure of legislation is largely determined by the distance between the substance of policy values and the basic values of the state constitution. The greater the distance, the higher the political and social resistance that arises, and consequently the opportunity to build consensus is significantly weakened. In this context, the BJP's failure to push the NEP as a legislative product can be analyzed through the lens of this hypothesis.

The substance of NEP 2020 is considered by many as a policy that reflects Hindutva values—a Hindu cultural ideology that is at odds with India's principle of secularism. In the policy document, there is a strong emphasis on "Indian Knowledge Systems", reform of the history curriculum from a Hindu cultural perspective, and the removal of colonial and Islamist narratives. While these narratives were framed as attempts at national reconstruction, their normative content was interpreted by minority groups and secular states as a form of cultural domination and undermining of pluralism.

Opposition to the NEP came from a variety of actors: states such as Tamil Nadu and Kerala claimed that the policy was unconstitutional, and did not reflect India's cultural diversity. The Chief Minister of Tamil Nadu called the NEP a form of domestic colonialization. In fact, the Supreme Court of India declared that the NEP was not constitutionally binding on the states as it was not enacted as a law. This shows that the distance between the substance of the NEP's values and the principles of federalism and secularism in the Indian constitution is so wide that it creates systemic resistance.

The substance of the NEP 2020 pushed by the BJP reflects an attempt to reconstruct the Indian education system to align with Hindutva ideology. It incorporates the "Indian Knowledge Systems" narrative, reinforcement of ancient Hindu cultural identity, and reformulation of the history curriculum to emphasize the dominance of Hindu civilization. Instead of representing pluralism as mandated by the Indian constitution, this policy narrows the narrative space of national education to become very ideologically exclusive (Agnihotri, 2020; CPIM, 2020).

In terms of institutional design, the NEP introduced new structures such as the Higher Education Commission of India (HECI), which centralized the regulation of higher education in the central government. This policy directly reduced the autonomy of the states in formulating education policies, whereas in India's federal system, education is an area of shared authority. In many states not controlled by the BJP, this move was read as a

form of ideological homogenization and political domination of the center over the region (Aithal & Aithal, 2020).

Furthermore, minority groups and civil society organizations argued that the NEP did not provide an inclusive deliberative space in its formulation process. There was no formal involvement of non-Hindu communities, minority faith-based educational institutions, or local governments in the drafting process. This lack of participatory space reinforces the impression that the NEP is not only ideologically biased, but also marginalizes the principles of secularism and diversity guaranteed in the Indian constitution (Kumar, 2025)

This condition shows that the NEP does not only experience resistance due to inter-party political dynamics, but because its normative substance is considered to be in direct conflict with the basic values of the state. The BJP's failure to pass the NEP as a law was not simply due to a lack of votes or opposition, but because this policy carried a value content that was too far from constitutional principles - especially secularism and federalism.

In terms of strategy, the BJP chose the administrative route, not bringing the NEP to the legislative forum. This shows the party's reluctance to openly test its public and institutional legitimacy. Instead, the BJP relied on majority rule in the cabinet and parliamentary bypass. This strategy reinforced resistance as it narrowed the space for deliberation and weakened cross-institutional support. Even when the BJP was electorally dominant, the failure of the NEP as legislation confirms that dominance of power is not enough without compatibility of policy values with the constitution. Four causal steps can explain this failure:

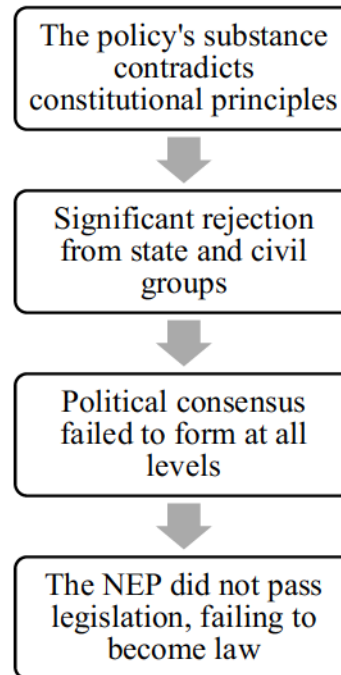


Figure 6. Causal Flow of BJP Rival Hypothesis

This mechanism shows that value distance is not just a symbolic factor, but a concrete causal variable in determining the outcome of legislation. In the context of a pluralistic and federal India, policies that are at odds with the principles of secularism and regional autonomy will find it difficult to gain formal legitimacy. NEP 2020 is proof that value exclusivity in policy design not only triggers resistance, but also hinders formalization in the national legal system.

Thus, the rival hypothesis gains strong support in the case of the BJP. The failure of the NEP to become law is not simply a technical or political failure, but rather a logical consequence of a value substance that is not in line with the constitutional foundations of the country. The point is, the greater the distance between the policy values and the constitutional foundation, the greater the socio-political resistance to the policy, gaining strong reinforcement in the context of the BJP case. This reinforces the claim that successful ideological legislation is only possible when the policy values are compatible with the basic norms of the state. Without this, resistance will arise, consensus will fail to build, and legislation will not be achieved.

4.3.3 Comparative Reflection on Rival Hypotheses

The results of testing the counter-hypothesis show that the distance between policy values and constitutional principles has a significant causal influence in explaining the success or failure of value-based policy legislation. In the context of PKB, the substance of the Pesantren Law is in line with Indonesian constitutional values, particularly in terms

of recognition of the diversity of religious-based educational institutions. This makes the resistance that emerges administrative rather than ideological, leaving room for consensus.

This is in line with the argument put forward by Lall and Anand, who explain how the approach taken by the BJP shows a shift from an inclusive democratic process towards a hegemonic agenda in education policy. The BJP uses a strategy of domination to push the NEP, which includes reducing public consultation and sidelining democratic and secular principles in education. The 2020 NEP reflects a clear alignment with Hindu nationalist ideology, with strong RSS influence in decision-making bodies (Lall & Anand, 2022). This dominant strategy explains why the NEP was never prepared as a deliberative product inviting cross-group discourse. This demonstrates how the NEP 2020 is not merely a technocratic endeavor but a systematic effort to disseminate Hindu nationalist ideology by embedding Hindu cultural narratives in the education system, while sidelining secular and pluralistic perspectives (Flåten, 2017). Here, the value gap is not only a contextual backdrop, but serves as a key determinant of policy success or failure.

This reflection reinforces the argument that in a plural and federal democratic system, the success of legislation is not only determined by political power or elite strategies but also depends heavily on the compatibility between policy substance and constitutional values. When the value gap is too large, resistance increases, and the legislative process risks failure, even if the supporting party dominates electorally. Thus, the counterhypothesis is not only relevant as an alternative explanation but also contributes a strong causal framework for understanding the relationship between ideological policy and the legal-constitutional system.

CHAPTER V

CONCLUSION AND LIMITATION OF RESEARCH

5.1 Conclusion

A key question initiated this research: why did PKB succeed in pushing value-based legislation through the Pesantren Law in Indonesia, while BJP failed to institutionalize NEP as a law in India, even though both are ideological parties that have the political capacity and ideological drive to fight for such policies? To answer these questions, this thesis builds two hypotheses, each of which is tested symmetrically against two cases: (1) the main hypothesis which states that the success of legislation is determined by the party's ability to build consensus across actors; and (2) the rival hypothesis which emphasizes that the value gap between the policy substance and the state constitution determines the level of resistance and the likelihood of legislation.

The results indicate that both hypotheses possess strong explanatory power, depending on the specific context of the case. In the case of PKB, the success of the Pesantren Law can be attributed to the party's ability to build a broad political consensus through inclusive communication strategies, cross-factional negotiations, and the strategic management of social resistance. However, this success is also supported by the close alignment between the substance of the Pesantren Law and the fundamental values of the Indonesian Constitution, particularly the principles of pluralism, freedom of religion, and recognition of non-formal education institutions. In contrast, in the case of the BJP, the failure of the NEP to become a national law was due to a combination of dominative strategies that closed the deliberative space, and policy substance that was perceived to be contrary to the principles of secularism and Indian federalism.

Thus, the main conclusion of this thesis is that two main variables determine the success of ideological policy legislation in a pluralistic democratic system: (1) how far the policy substance is away from constitutional values; and (2) how much the actors can build political consensus across institutions and social groups. The two hypotheses that were originally built as rival explanations turned out to be complementary in explaining the variation in outcomes in two different cases. That is, the value distance variable can be an initial determinant for the opening of the possibility of consensus. In contrast, consensus itself becomes a political instrument that allows legitimization and institutionalization of policies.

This thesis also shows that political dominance, whether in the form of parliamentary majority or executive control, does not automatically guarantee the success of ideological legislation. In a multiparty system and pluralistic society, every policy must

navigate resistance stemming from configurations of values and institutions. The institutionalization of value-based policies therefore requires broad social coalitions and explicit constitutional recognition. The success of the PKB is an example where limited power is not an obstacle as long as the party can articulate a policy narrative in the language of shared values. The BJP's failure, on the other hand, shows that majority rule can be counterproductive when used without deliberation and inclusiveness.

The theoretical contribution of this research lies in strengthening the causal approach in ideological policy studies, specifically by developing a model that explains the relationship between normative compatibility, socio-political resistance, and consensus building. In the context of political science, this thesis enriches the debate on the legislative strategies of ideological parties in pluralistic democracies, while also opening up space for further testing of the effectiveness of consensus versus dominant models in value-based policymaking. This research also contributes to the literature on the relationship between political parties, constitutions, and legal legitimacy.

In addition, the results of this study suggest the importance of understanding the distance between policy values and the constitution not merely as a normative debate, but as a strategic consideration in the legislative process. When the substance of the policy is not aligned with the fundamental values of the state, resistance does not only come from the political opposition, but also from civil society, federal actors, and judicial institutions. This was evident in the case of the NEP, where the overly ideologically biased policy substance failed to gain consensus and formal legitimacy.

As a final reflection, this thesis emphasizes that the study of ideological policy legislative processes cannot be separated from the context of values, institutions, and relations between actors. The initial question—why one ideological party succeeds and another fails—leads us to a more complex understanding of how power, values, and strategies work simultaneously to influence policy outcomes. Thus, this research not only answers empirical questions, but also contributes to the formulation of a theoretical framework that can be retested in other contexts.

For future research, several directions of development can be explored. First, this research can be extended through a quantitative approach or a cross-country study to test the external validity of the proposed hypotheses. Second, future studies can differentiate between policies based on religious values, nationalism, and economic values to see whether value distance still plays a primary role as a determinant in all types of ideological policies. Third, future studies should also delve deeper into the internal dynamics of political parties in formulating legislative strategies, particularly in the context of dominant versus middle-sized parties. With this approach, the theoretical and practical contributions of the research will be more robust and impactful.

Although this study offers fairly strong findings in explaining variations in value-based policy outcomes, there are a number of limitations that should be noted. First, limited access to primary data in the case of the BJP means that the narrative is more reliant on secondary sources. This makes the analysis of the Indian context less comprehensive than that of Indonesia, particularly in capturing the informal dynamics within the party and its relationship with ideological actors such as the RSS. Second, the use of a two-country comparison design with the Most Similar System Design (MSSD) approach leaves open the possibility that other factors may have influenced the final results but were not detected within the framework of this analysis. These limitations do not diminish the validity of the main findings, but it is important to highlight them to ensure that the interpretation of the study's results remains proportionate and open to further testing in a broader context. Therefore, further research is necessary to expand upon existing explanations.

With all the findings, arguments, and reflections that have been built, this thesis concludes that the institutionalization of ideological policies cannot be read only in terms of formal power or electoral power. Instead, it depends on how far policy values are justified within the constitutional framework and how carefully political strategies are constructed to bridge differences and garner legitimacy. This is the main lesson from the two cases-PKB and BJP-which is the subject of reflection and the main scholarly contribution in this thesis.

5.2 Discussion and Implication of Research

The findings of this study carry several important implications for the study of legislative politics within pluralistic democracies. First, the comparative analysis shows that the success of value-based policy legislation cannot be separated from the capacity of political parties to build cross-factional consensus and manage the dynamics of interests within the parliamentary arena. The case of the PKB demonstrates that political strategies in the legislative domain through inclusive approaches, narrative alignment, and symbolic compromise can transform ideological agendas into politically acceptable legal products without provoking strong ideological resistance. This highlights the critical role of negotiation skills and institutional flexibility in legislative politics, particularly for parties with strong ideological identities operating in multiparty systems.

Second, the study also affirms that the compatibility between policy content and constitutional principles serves as a normative boundary limiting how far the state can impose ideological agendas. In the case of the BJP, the failure to institutionalize the National Education Policy (NEP) illustrates how ideological initiatives lacking sensitivity to constitutional value structures can provoke widespread resistance—not only from opposition parties but also from local governments and civil society. This suggests that the

state–society relationship in the context of ideological policymaking is shaped not merely by formal participatory procedures but also by how the state frames and legitimizes the values embedded in its policies.

As this study aims to contribute to theory building, it is expected that future research can generalize its hypothesis by testing it in other contexts. To make the logic of this study more coherent, a counterfactual approach is employed to examine whether alternative units (i.e., the BJP) could produce different outcomes—or, conversely, similar ones. The purpose of using counterfactuals is to reinforce the argument of this research. Generally, a counterfactual is a statement about what might have occurred if a certain condition had been different, such as: “if X had not occurred, then Y would not have occurred either.” In this context, it is referred to as a causal experiment. Since counterfactuals adopt a “what if” framework, they are particularly useful in political science studies with limited cases, such as this one. The use of alternative scenarios allows researchers to test the plausibility of causal relationships, imagine different possible outcomes, and complement comparative logic. Thus, counterfactuals can be utilized when an alternative unit of analysis (X) differs but still holds constant most control variables, and are used strictly to test the hypothesis (Fearon, 1991).

In this study, the negative case unit—the BJP—is replaced with a comparable unit: the Indian National Congress (INC). This selection is based on methodological grounds, as the INC presents a high degree of structural and contextual similarity. Both parties are dominant political forces in India, have exercised full executive power, and possess significant legislative capacity. Furthermore, both have proposed value-based ideological policies within a pluralistic parliamentary democratic system. These similarities—in actor type, institutional positioning, and policy orientation—enable a logically consistent counterfactual comparison to assess whether the failure lies in party identity or broader structural-political conditions.

As an illustration, under similar conditions, the INC once proposed a comparable initiative: the Communal Violence Bill (CVB). The CVB was introduced by the INC-led United Progressive Alliance (UPA) government in 2011 with the aim of preventing and prosecuting communal violence—particularly incidents rooted in religious or identity-based divisions. It also included legal safeguards for victims, especially from minority communities, and proposed holding state officials accountable for negligence or complicity in such acts (Prabhu, 2014). While the bill aligned with India’s constitutional principles of secularism and minority protection, it was widely rejected, particularly by the BJP and Hindu-majority constituencies. The rejection stemmed from suspicions that the bill was biased against the majority and could be politically weaponized to suppress the opposition. Additionally, several states led by opposition parties viewed it as a violation of regional

autonomy. This widespread ideological and political resistance ultimately prevented the bill's passage, despite its progressive character (Jain, 2013).

The CVB serves as a critical example of how even normatively sound policies can be derailed by political opposition. Thus, the case demonstrates how the INC's initiative sparked intense political dynamics, heated debates in both the Rajya Sabha and Lok Sabha, growing resistance, a breakdown of consensus, and public perception that the policy was anti-Hindu and discriminatory toward the majority.

Within the counterfactual framework, the Congress Party's failure to push for the passage of the Communal Violence Bill (CVB) in 2011 is used as a point of comparison with the PKB's success in institutionalizing the Pesantren Law. Although originating from different national contexts, both share similarities: parties advocating policies aligned with constitutional values, and both proposing policies with ideological content. Congress promotes an agenda of protecting minorities within the framework of constitutional secularism, while the PKB brings Aswaja principles into national legislation through the Pesantren Law. The difference lies not merely in the type of ideology, but in how political strategies are implemented to address resistance, build support, and manage narratives.

The fact that the CVB failed despite its content not conflicting with the Indian constitution shows that proximity to norms alone is insufficient to guarantee success. Congress failed not because the substance was too extreme, but due to the absence of political consensus, strong resistance from the opposition—particularly the BJP—and the inability to build cross-state legitimacy. This contrasts with the PKB, which, despite not being politically dominant, was able to manage alliances, forge symbolic compromises, and frame policy narratives within a national discourse acceptable to many parties.

Thus, this counterfactual scenario not only tests the main hypothesis but also highlights the limitations of explanations that rely solely on norm distance. The case of Congress actually confirms that the success of a policy is not determined solely by its closeness to constitutional values, but by the ability to build consensus and mitigate resistance. This counterfactual reinforces the claim that the institutionalization of value-based policies is a matter of political management and power relations, not merely a matter of ideology. Therefore, it is important to understand that even if a party has power, the policies it promotes have no potential to conflict, but if political actors are unable to build consensus, then these policies have the potential to fail to become law.

In conclusion, reflecting on both cases enriches our understanding that legislative outcomes are shaped by two interrelated factors: the ability to build political consensus and the degree to which policy values are perceived as acceptable within the constitutional framework. For the study of legislative politics, this calls for greater exploration into how institutional design, party ideology, and constitutional arrangements interact to shape

policy direction. Meanwhile, for the study of state–society relations, this research demonstrates that public responses to ideological policies are influenced not just by material interests, but also by perceived compatibility with national identity, constitutional principles, and democratic expectations.

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