



# Access to Quality Education: A Comparative Study of the Right to Education Across Nations

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## ABSTRACT

*The right to education is a fundamental human right, crucial not only for individual development and empowerment but also for social, economic, and cultural progress. It provides every individual with equal opportunities to learn and gain knowledge, helping to reduce inequalities and ensure equal opportunities for all. Although most nations recognize this right through their constitutions or laws, significant challenges remain in providing equitable and effective education, particularly for socially, culturally, economically, and educationally disadvantaged groups and communities. This study presents a comparative analysis of the right to education across various countries, examining how national policies, legal provisions, and educational systems facilitate or hinder equal access and learning outcomes. By comparing developed and developing nations, the study identifies best practices, common challenges, and innovative measures that have successfully made education inclusive and effective, while also highlighting areas needing improvement. The analysis emphasizes that the right to education should not remain a mere legal or constitutional*

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*promise; comprehensive policy implementation, adequate resources, trained teachers, modern educational tools, and continuous monitoring are essential to make it a reality. Ensuring that all sections of society, especially socially and educationally disadvantaged groups, have equal opportunities to learn is crucial. Thus, the right to education plays a significant role in promoting an inclusive system that ensures quality education, enabling every individual to reach their full potential and fostering equal opportunities and social justice.*

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## Introduction

Education is the process through which societies transmit the norms, values, and knowledge necessary for individuals to participate effectively in social life. It serves to integrate individuals into society, promote social cohesion, and prepare them for their social roles by internalizing the collective conscience of the community<sup>1</sup>. Access to education is crucial not only because it guarantees every child the right to learn but also because it helps ensure equal opportunities for everyone, regardless of socio-economic background or other potential barriers.

According to the 2011 Census of India, the male literacy rate was recorded at 82.14%, which was higher than the overall literacy rate of 74.04% and significantly higher than the female literacy rate of 65.46%. In the Census, literacy refers to a person aged 7 years or above who can read and write with understanding in any language. The high male literacy rate reflects greater participation of men in the country's social and economic development, while the gender gap of about 16.68 percentage points clearly highlights the educational inequality that existed at that time. Government initiatives such as the Sarva Shiksha Abhiyan, Mid-Day Meal Scheme, and the Right to Education Act played a vital role in improving literacy, but the data also shows that, as of 2011, there was still a need to further promote education among women<sup>2</sup>.

Around the world, notable differences exist in access to quality and outcomes of education. Primary education forms the foundation of a child's learning and development, and different Countries approach it in unique ways. In China, the education system is highly structured and exam-focused, emphasizing core subjects such as Chinese, mathematics, and moral education<sup>3</sup>. The USA offers a more flexible

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<sup>1</sup> Émile Durkheim, Education and Sociology, Free Press, 1922.

<sup>2</sup> Office of the Registrar General & Census Commissioner, India, Census of India, available at: <https://censusindia.gov.in>

<sup>3</sup> Primary and Secondary Education in China, available at: <https://www.chinaeducenter>

curriculum, balancing academics, arts, and physical education. The UK follows a national curriculum with standardized assessments at key stages. High-performing countries like Finland and South Korea focus on fostering critical thinking, creativity, and academic excellence. Finland emphasizes equality and teacher-centered learning, while South Korea's highly competitive environment drives students toward exceptional achievement. Although all these countries aim to provide compulsory education for young children, they differ in structure, assessment methods, and the challenges they face.

OECD-PISA scores and education expenditure data show that financial investment alone does not ensure educational success, effective policies, teacher training, and social support are equally important. Globally, education is not just a tool for knowledge transfer—it is a means of promoting equality, social justice, and the development of responsible, empowered global citizens. Ensuring universal access to high-quality education is essential so that everyone can realize their full potential and contribute meaningfully to society.

### **Object of the study**

1. To analyse and compare how different countries recognize the right to education in their Legal provision.
2. To Assess the concept of 'quality education' across different Nations, considering factors such as infrastructure, teacher effectiveness, and student learning outcomes.

### **Research methodology**

This research is a descriptive study that relies on secondary data obtained from diverse sources, such as government websites, magazines, journals, and other publications. A mixed-methods approach, integrating literature review and case studies, is used to examine the various educational strategies implemented by high-performing countries. The study includes a thorough analysis of academic articles, research papers, policy documents, and reports.

### **International Framework**

Eglantyne Jebb, who founded Save the Children in 1919, was a pioneering humanitarian and one of the foremost advocates for children's rights in the early 20th century<sup>4</sup>. Driven by the devastating effects of war and widespread poverty on children, she devoted her life to improving their living conditions and

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<sup>4</sup> Meet Eglantyne Jebb - Founder of Save the Children, available at: <https://www.savethechildren.org/us/about-us/why-save-the-children>



ensuring their basic needs were met. Jebb was instrumental in drafting and promoting the 1924 Geneva Declaration of the Rights of the Child, the first international document to formally recognize children's rights, including access to education, protection, and overall development. Her tireless efforts to protect children from hunger, neglect, and exploitation not only transformed global child welfare practices but also laid the groundwork for contemporary international child protection frameworks. This vision aligns closely with the Universal Declaration of Human Rights (UDHR, 1948), particularly Article 26, which affirms the right to education for all. Jebb's initiatives not only influenced the UDHR but also paved the way for subsequent international frameworks such as the UN Convention on the Rights of the Child (1989), highlighting her enduring impact on child welfare and education.

The right to education holds a central position within the international human rights framework and has developed through a series of key global instruments. It gained binding legal recognition through the International Covenant on Economic, Social and Cultural Rights (ICESCR), which requires States to provide free and compulsory primary education, progressively accessible secondary and higher education, and implement concrete measures toward achieving universal primary education<sup>5</sup>. While the International Covenant on Civil and Political Rights (ICCPR) does not explicitly guarantee the right to education, it indirectly supports it through protections for freedom of thought, expression, and non-discrimination<sup>6</sup>. The UNESCO Convention against Discrimination in Education further strengthens this right by prohibiting discriminatory practices in access, quality, and opportunities within educational systems<sup>7</sup>.

For children, the Convention on the Rights of the Child (CRC) provides the most comprehensive framework, mandating free and compulsory primary education, promoting accessible and diverse forms of secondary education, and emphasizing education's broader role in holistic child development<sup>8</sup>. Women's educational equality is advanced through the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which obliges States to eliminate gender-based discrimination across all educational levels<sup>9</sup>. Complementing these commitments, the Convention on the Rights of Persons with Disabilities (CRPD) underscores inclusive and accessible education, ensuring appropriate

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<sup>5</sup> International Covenant on Economic, Social and Cultural Rights, 1966, Arts. 13–14.

<sup>6</sup> International Covenant on Civil and Political Rights, 1966, Arts. 18, 19, 26.

<sup>7</sup> UNESCO Convention against Discrimination in Education, 1960, Arts. 1–5.

<sup>8</sup> Convention on the Rights of the Child, 1989, Arts. 28–29.

<sup>9</sup> Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979, Art. 10.

support, reasonable accommodations, and barrier-free learning environments for persons with disabilities<sup>10</sup>.

The global dedication to equitable and quality education is further reinforced by Sustainable Development Goal 4 (SDG-4) under the 2030 Agenda, which envisions inclusive, lifelong, and high-quality learning opportunities for all<sup>11</sup>. Together, these international instruments establish a comprehensive legal and academic framework that positions education not merely as a service but as a fundamental human right essential for dignity, empowerment, and social development

## Country-Specific Approaches

The Right to Education is recognized globally, ensuring that every individual has access to free, compulsory, and quality education. Its implementation varies across nations due to economic, social, and political differences.

### China

From 1900 to 1985, China's primary education transformed from a limited, traditional system into a modern, nationwide structure. Around 1900, education was dominated by Confucian academies and charity schools, with few opportunities in rural areas and the gradual emergence of modern elementary schools in cities. The 1905 abolition of the imperial exams led to the promotion of modern schools combining classical studies with Western subjects, supported largely by local elites and philanthropists. By 1908, county-level elementary schools and teacher training institutions were formalized, though rural literacy remained low<sup>12</sup>. During the Republican era (1922), efforts to standardize education and introduce modern curricula and civic education expanded access, but coverage was still uneven<sup>13</sup>. Following the founding of the People's Republic of China, the Five-Year Plans (from 1953) systematically developed primary education, emphasizing universal enrolment, literacy campaigns, and standardized curricula. Mao Zedong's policies in the 1950 to 1970 extended education to millions of rural children, combining basic literacy and numeracy with ideological education. After Mao's death in 1976, the reform and opening-up policy modernized infrastructure, teacher training, and curricula, restoring education quality after the Cultural Revolution. Finally, in 1985, the government introduced the nine-year compulsory education

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<sup>10</sup> Convention on the Rights of Persons with Disabilities (CRPD), 2006, Art. 24.

<sup>11</sup> United Nations, Sustainable Development Goal 4, 2030 Agenda for Sustainable Development.

<sup>12</sup> Shiuon Chu, "The Longer Abolition of the Chinese Imperial Examination System (1900s–1910s)," *International Journal of Asian Studies* 20, no. 2 (2023), available at: <https://www.cambridge.org>

<sup>13</sup> Pei Gao, "What drove the spread of Modern Primary Schooling in Republican China?" EHES (2015), available at: <https://ehes.org>

policy, making primary and junior secondary education free and mandatory, greatly increasing literacy and laying the foundation for China's modern educational system.

Recent reforms in China's primary education focus on reducing student stress, improving teaching quality, and promoting more well-rounded development. The "Double Reduction" policy continues to limit excessive homework and curb private tutoring, while schools expand higher-quality after-school programs in sports, arts, and science<sup>14</sup>. New national plans emphasize digital transformation, encouraging the use of AI, big data, and online resources to improve teaching and learning, especially in rural areas. China has also strengthened rules on student well-being by restricting screen time, banning mobile phones in classrooms<sup>15</sup>, and requiring more physical activity and sufficient sleep. Mental health education is being expanded, and campaigns address school bullying and unhealthy academic pressure. Across these reforms, the government aims to shift focus from exam-driven learning toward balanced, high-quality, and equitable education for all primary students<sup>16</sup>.

## USA

The evolution of U.S. schooling began in the colonial era, when education was mostly local and religious<sup>17</sup>. In the 1800s, the Common School Movement led by Horace Mann pushed for free, tax-supported public schools and trained teachers<sup>18</sup>. During the Progressive Era, schools expanded and adopted child-centred ideas influenced by John Dewey. After World War II, federal involvement grew through laws like the Government Issued Bill, the Elementary and Secondary Education Act, and major civil rights decisions such as *Brown v. Board of Education*. In recent decades, education has focused on standards, accountability, and school choice, shaping the modern system of public schooling in the United States.

United States Constitution does not specifically guarantee the right to education, with the 10th Amendment reserving powers for the states to set curricula and ensure quality education. The system begins with kindergarten and early childhood education (ages 5–6), focusing on foundational skills, social development, play, and practical activities like kitchen gardens. Elementary and middle school (grades 1–

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<sup>14</sup> Licui Chen and Shuangmu Lin, Examining China's "Double Reduction" Policy: Promises and Challenges for Balanced and Quality Development in Compulsory Education, available at: <https://journals.sagepub.com>

<sup>15</sup> More Sleep, Less Screen time as China aims to reduce student stress, Reuters, available at: <https://www.reuters.com>

<sup>16</sup> Ibid

<sup>17</sup> Investigating Critical and Contemporary Issues in Education, University of Georgia, available at: <https://open.online.uga.edu>

<sup>18</sup> Backy Little, Horace Mann championed the common school movement to give all children an equal education, available at: <https://www.history.com>



8, ages 6–14) build on core academics—reading, writing, math, and science—while promoting health, arts, sports, and experiential learning. High school (grades 9–12, ages 14–18) prepares students for college, vocational training, or the workforce, offering specialized courses, extracurricular activities, and hands-on projects to develop intellectual, physical, and personal skills. While states operate schools, the federal government influences education through laws, funding, and policies such as the Elementary and Secondary Education Act (1965), IDEA (1975), and Every Student Succeeds Act (2015), ensuring equal opportunities and high-quality learning for all students.

Supreme Court decisions have also shaped education: *Brown v. Board of Education Topeka*<sup>19</sup> in this landmark case declared that racial segregation in public schools is unconstitutional. It overturned the “separate but equal” doctrine established in *Plessy v. Ferguson* (1896) and mandated integration, highlighting that segregated schools are fundamentally unequal. *Plyler v. Doe*<sup>20</sup> in the Court ruled that states cannot deny public education to children who are undocumented immigrants. This decision ensured that all children, regardless of immigration status, have the right to access free public schooling, and *San Antonio Independent School District v. Rodriguez*<sup>21</sup> in this case addressed school funding inequalities based on local property taxes. The Supreme Court ruled that education is not a fundamental right under the U.S. Constitution, allowing disparities in funding, but highlighted the importance of state-level responsibility in providing educational opportunities.

### United Kingdom

In the United Kingdom, the Right to Education (RTE) is protected through several major legal frameworks, including the Education Act<sup>22</sup>, the Human Rights Act<sup>23</sup>, the Equality Act<sup>24</sup>, and the European Union’s Charter on Fundamental Rights, ensuring that no person is denied access to education and that parents’ rights in guiding their children’s learning are respected. The UK education system is organised into four Key Stages: KS1 (ages 5–7) and KS2 (7–11) forming primary education, and KS3 (11–14) and KS4 (14–16) forming secondary education. Primary education is both free and compulsory, beginning at age five in England and Wales and age four in Northern Ireland, and provided mainly through state-funded schools that charge no tuition fees. These schools—including academies, free schools, grammar schools,

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<sup>19</sup> 347 U.S. 483 (1954)

<sup>20</sup> 457 U.S. 202 (1982)

<sup>21</sup> 411 U.S. 1 (1973)

<sup>22</sup> UK Education Act 1996.

<sup>23</sup> UK The Human Rights Act 1998.

<sup>24</sup> UK The Equality Act 2010.



and state boarding schools—are financed through public funds to ensure universal access to learning. Primary schooling focuses on literacy, numeracy, science, and foundational subjects through the National Curriculum, while Scotland follows the Curriculum for Excellence. The Education Act 1996 places a legal duty on parents to ensure their children receive full-time, suitable education, either in school or through approved alternatives such as home education. After completing KS4, students may progress to further education through A-Levels, vocational qualifications, or technical courses, which lead to higher education opportunities. Despite its strong structure, the UK faces ongoing challenges such as reducing inequalities between private and state schools, improving mental health support, addressing demographic shifts and funding pressures, and ensuring the effective integration of immigrant and refugee children so that all learners benefit from an inclusive, equitable, and high-quality education. The Human Rights Act 1998, the Equality Act 2010, and the European Union’s Charter on Fundamental Rights together form a strong legal foundation for protecting individual rights in the United Kingdom, particularly in the context of education. The Human Rights Act incorporates the European Convention on Human Rights into UK law, ensuring that public bodies, including schools and local authorities, respect fundamental freedoms such as the right to education, freedom of expression, privacy, and protection from discrimination or degrading treatment. The Equality Act 2010 strengthens these protections by legally prohibiting discrimination on the basis of characteristics such as race, gender, disability, religion, age, and sexual orientation, requiring all educational institutions to promote equal access, reasonable adjustments for disabled learners, and an inclusive environment for every student. The Charter of Fundamental Rights of the European Union, which previously applied to the UK during EU membership, guarantees a wide range of civil, political, economic, and social rights—including the right to education, human dignity, data protection, and equality—establishing a broader European standard for human rights protection. Together, these frameworks ensure that learners in the UK are safeguarded against discrimination, treated with dignity, and provided with fair and equal opportunities to access education and participate fully in society.

## **Finland**

Prior to the 1850s, education in Finland was largely overseen by the church, leading to highly unequal access to schooling. By the end of 19th century, only about 8% of children aged 7 to 12 in rural areas received basic education<sup>25</sup>, while nearly all urban children attended school. Following Finland’s independence in 1917, the country was able to establish a national education system aimed at promoting

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<sup>25</sup>Mika Risku, A historical insight on Finnish education policy from 1944 to 2011, *Italian Journal of Sociology of Education*, 6(2), 36-68.



social justice, equality, and universal access to learning. Recognizing education as a fundamental right, the Finnish government enacted a compulsory education law in 1921, ensuring that all children were legally required to attend school. By 1944, almost all local authorities had developed school districts and basic education institutions as mandated by law. Despite interruptions caused by the Second World War, Finland implemented systematic reforms in the 1950s and 1970s to strengthen social equality in education. Significant curriculum reforms, including the 1994 Basic Education Curriculum, granted schools and municipalities greater autonomy, while subsequent updates in 1999 and 2004 refined assessment methods and standardized teaching hours, ensuring consistency and high quality across the system. This new reform, in force as of 1 August 2021, means that the compulsory education level is reached when youngsters are 18 years-old or have completed an upper secondary qualification<sup>26</sup>.

Today, Finland's education system is recognized globally for its equity, inclusiveness, and excellence. Education is compulsory and free, beginning with pre-primary education at age 6 and continuing with basic education (*peruskoulu*) from ages 7 to 16, while upper secondary education, both general and vocational, is also generally free<sup>27</sup>. Most schooling is provided through state-funded public schools, though private schools exist and follow national guidelines. The curriculum emphasizes holistic development, including academic knowledge, creativity, critical thinking, social skills, and physical and health education. The system prioritizes student well-being, offering free school meals, healthcare, psychological support, and inclusive learning environments. Additionally, Finland promotes skill development programs, including vocational and technology-based learning, preparing students for higher education and the workforce. By ensuring equal access and maintaining high standards, Finland's education system fosters social cohesion, lifelong learning, and a future-ready population, making it a global model of accessible, equitable, and high-quality education.

### **South Korea**

The Korean education system follows a 6-3-3-4 structure, which outlines the full pathway from primary school to undergraduate education. Students begin with 6 years of primary school, where they acquire basic literacy, numeracy, and foundational knowledge. This is followed by 3 years of middle school, which provides more advanced subjects and prepares students for higher-level studies. Next comes 3 years of high school, where students focus on academic or vocational tracks and prepare for college entrance. After completing high school, students can pursue 4 years of undergraduate education at universities,

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<sup>26</sup> Finland: Compulsory education extended until the age of 18, available at: <https://eurydice.eacea.ec.europa.eu>

<sup>27</sup> Focus on education, available at: <https://peruskoulu.fi/focus-on-education>

completing the standard pathway of formal education in South Korea<sup>28</sup>. The academic year runs from March to February, divided into two semesters (March–July and late August–December). Early childhood education is built around the Nuri Curriculum, a national, play-based framework for ages 3–5 that was significantly revised in 2019 to strengthen child-centered learning, with government subsidies helping reduce family costs. South Korea is known for world-leading learning outcomes, consistently scoring above the OECD (Organisation for Economic Co-operation and Development) average, supported by shrinking class sizes—about 17 Kinder-Garten, 21 students in elementary, 25 in middle, and 23 in high school as of 2023<sup>29</sup>. A powerful hagwon (private academy) sector extends even to very young children, with nearly half of those under six and many under two attending cram schools. The country is also becoming a growing hub for international students, who made up about 4.6% of higher-education enrollment in 2023<sup>30</sup>. To support student well-being in an intensely digital society, South Korea has passed legislation that will ban mobile phones and digital devices in classrooms starting March 2026<sup>31</sup>.

## India

In India, free and compulsory education is a fundamental right for all children aged 6 to 14 under Article 21-A of the Constitution, while Article 45 provides policy guidance for the State, and Article 51-A(k) guides early childhood education and the responsibilities of parents<sup>32</sup>. The Right of Children to Free and Compulsory Education Act, 2009 (RTE Act) implements this right, ensuring admission to schools without an entrance examination, continuous evaluation up to Class 8, 25% reservation for marginalized groups in private schools<sup>33</sup>, and prescribed standards for infrastructure and teacher-student ratios. This Act ensures that all children have equal opportunities to receive education. The National Education Policies (1986/1992 and NEP 2020) bring policy and structural reforms to ensure access, quality, and equal access for all children. Key programs include the Samagra Shiksha Abhiyan, Mid-Day Meal Scheme (PM-POSHAN), PM SHRI Schools, Kasturba Gandhi Balika Vidyalayas, and National Means-cum-Merit Scholarship (NMMS), which ensure enrolment, retention, nutrition, and inclusive education. In the future, India is working to ensure foundational literacy and numeracy, upgrading all schools to RTE standards,

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<sup>28</sup> Education System of South Korea, available at: <https://www.southkoreaeducation.info>

<sup>29</sup> Ministry of Education, Information Renewal, Ministry of Education, Republic of Korea, Available at: <https://english.moe.go.kr/sub/infoRenewal.do?m=050101&page=050101&s=english>

<sup>30</sup> Park Ung, Korea's foreign student numbers rise, but lag behind other developed nations, The Koreans Times, September 9, 2025. Available at: <https://www.koreatimes.co.kr>

<sup>31</sup> Shin Ji-hye, South Korea to ban phones in class in elementary, middle and high schools from March 2026, Asia news network, August 28, 2025. Available at: <https://asianews.network>

<sup>32</sup> Jay Jay Ram Upadhyay, The Constitution of India, Central Law Agency, 2016

<sup>33</sup> *Right of Children to Free and Compulsory Education Act, 2009*, s. 12(1)(c).

expanding digital education platforms like DIKSHA, and providing equal opportunities for disadvantaged and special-needs children, so that free education is available from ages 3 to 18 years<sup>34</sup>.

### Comparison of Education Indicators Across Selected Countries

Indicator	China	USA	UK	Finland	S. Korea	India
Compulsory Education (Age)	6-15	5-16&18	5-16 & 16-18 (Vocational )	7-18	6-15	6-14
GDP (OECD 2025)	4.1%	5-8%	6.1%	5.2%	5.6%	4.1%
Literacy rate	97%	99%	99%	100%	99%	76%
Students Teacher ratio	16-1	14-1	17-1	13-1	15-1	26-1

**Table: Comparison of Education Indicators Across Selected Countries**

(Source- OECD, World Population Review, World Bank, UNICEF, ASER)

### Conclusion

A comparative analysis of primary education systems in China, the USA, the UK, Finland, South Korea, and India highlight significant differences in access, quality, and investment, despite all Countries legally guaranteeing compulsory and free education. Finland and South Korea exemplify high-quality, equitable systems, with nearly universal primary enrolment, low student–teacher ratios (~13–15:1), and literacy rates close to 100%, aligning with UNESCO’s Education for All and SDG 4. OECD countries, including the USA and the UK, maintain class sizes and spending levels (~5–6% of GDP) that support strong learning outcomes and consistent access for all children. China performs well in urban regions, especially in mathematics and science, but rural areas still face disparities.

<sup>34</sup> DIKSHA – Digital Infrastructure for Knowledge Sharing, Ministry of Education, Government of India, available at: <https://dikshaschoolindia.org/activities>



India, under the Right to Education (RTE) Act, guarantees free and compulsory primary education for children aged 6–14, yet faces structural challenges that affect quality and equity. Strengths include growing enrolment in urban areas and ongoing policy reforms under the National Education Policy 2020 that aim to improve learning outcomes and emphasize foundational skills. However, high student–teacher ratios (~26:1), lower literacy rates (77–81%), uneven access in rural regions, limited digital resources, and reliance on rote-learning reduce the overall effectiveness of primary education.

Internationally, quality primary education is measured not just by access but also by equity, teacher quality, infrastructure, and student-cantered learning approaches. Countries like Finland emphasize creativity, problem-solving, and critical thinking, while South Korea focuses on academic rigor. India has made remarkable progress in enrolment and legal access, but to meet global standards, it needs increased investment, reduced class sizes, improved teacher training, and better learning resources to ensure all children receive high-quality, equitable, and future-ready primary education.

### Suggestion

1. To improve India's education, free schooling should extend to Class 12, with GDP spending raised to 6% for better schools, teachers, and facilities. Student–teacher ratios must be reduced, and curricula modernized with skill-based, technology-driven learning.
2. In India, education largely focuses on private schools, whereas in other countries like Finland, the USA, and the UK, government schools are well-developed and widely attended. It ensures that every student can access high-quality education without discrimination.

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