

Institutional and Legal Challenges in Delivering Inclusive Education: A Social Science Perspective

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ABSTRACT:

Inclusive education is widely recognised as a legal, institutional, and social justice priority, yet its practical delivery remains uneven across educational systems. This study examines the institutional and legal challenges involved in delivering inclusive education from a social science perspective. It adopts a qualitative conceptual design based on document and literature analysis rather than primary empirical data. The analysis is guided by the social model of disability, the rights-based approach to education, and institutional theory. The findings show that legal recognition alone does not ensure meaningful inclusion. Inclusive education is often constrained by weak enforcement, unclear institutional responsibilities, inadequate teacher preparation, inaccessible infrastructure, limited assistive technologies, insufficient funding, poor monitoring, and fragmented governance. The study also highlights that teachers are central to inclusive education delivery but often lack the legal clarity, professional training, classroom resources, and institutional support required to implement inclusive practices effectively. From a social science perspective, exclusion is produced not only by disability but also by institutional inequality, ableist attitudes, bureaucratic barriers, and weak accountability systems. The study argues that inclusive education requires alignment among legal recognition, institutional capacity, inclusive pedagogy, social acceptance, and enforcement mechanisms. Strengthening inclusive education therefore demands enforceable rights, accessible learning environments, trained educators, responsive institutions, and anti-stigma educational cultures.

Keywords: Inclusive education; disability rights; institutional barriers; legal challenges; social justice; educational inclusion.

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1. Introduction

Inclusive education is a major focus of current educational policy, disability rights and social justice research. It marks a departure from deficit or segregationist models of schooling to educational systems that view diversity as commonplace in learning environments. In contrast to seeing learners with disabilities or diverse learning needs as deviant from the norm, in inclusive education, schools must adapt their structures, pedagogies, cultures and support services to enable meaningful participation for all learners. This expanded notion of inclusion is critical to recognise that simply accessing school does not mean equal participation, achievement, dignity or inclusion. This means that inclusive education must focus not just on enrolment but also on institutional and legislative arrangements that allow learners to be supported in education.

Inclusive education has been positioned as an educational, legal and moral imperative at the global scale. The mantra that “all means all” has offered an enhanced international focus on the exclusion of learners on the grounds of disability, poverty, gender, language, ethnicity, migration and other forms of social disadvantage (Antoninis et al., 2020). Likewise, inclusion and equity have been framed as global challenges that challenge education systems to change not only their compensatory responses to inequity, but also their structural arrangements (Ainscow, 2020). As such, inclusive education is not just about special education; it is also about social justice, equality, participation and inclusion for all (Ainscow, 2020).

The importance of inclusive education is particularly highlighted for learners with disabilities and varied learning needs. International law has recognised that inclusion and non-discrimination in education is a right of learners with disabilities. General Comment No. 4 on Article 24 of the Convention on the Rights of Persons with Disabilities clarifies that inclusive education involves reform of the entire education system, reasonable accommodation, accessibility and the removal of barriers to equal participation (Committee on the Rights of

Persons with Disabilities, 2016). But legal recognition is no guarantee of inclusive practice. While the importance of inclusive education is recognised, this is not consistent across countries and institutions, especially when schools do not have the capacity to operationalise inclusive education principles (Kefallinou et al., 2020).

One of the challenges is the implementation gap between inclusive education policies and institutional practices. Comparative evidence indicates that many countries have implemented disability-inclusive legislation and policies, but there is considerable variation in legal provisions' design, scope, and effectiveness (Waisath et al., 2024). This is further complicated by questions of how inclusive the right to inclusive education is, particularly when international treaty commitments are not supported by strong national enforcement, sufficient resources and clear institutional responsibilities (Byrne, 2022). As a result, inclusive education is often enshrined in law, but not fully realised in practice.

Institutional limitations are critical in the policy-practice conundrum. Schools might not have qualified teachers, accessible facilities, assistive technology, sufficient resources, flexible curriculum, and learner supports. Teacher readiness is critical because teachers need to adapt teaching to the needs of the learner and establish an inclusive classroom culture, but they often are not well trained and supported to be inclusive (Ginja & Chen, 2023). Also, implementation is weakened by a lack of resources, administrative constraints, and challenges in translating inclusive education policies into school-level approaches (Ratheeswari & Nallathambi, 2023).

Inclusive education is also affected by legal issues. Lack of enforcement, unclear institutional responsibilities, weak legal literacy, monitoring and grievance mechanisms can hinder the ability to assert rights. Educators may be positioned to implement inclusive education without clear responsibilities, rights and institutional support (Mosala & Sefotho, 2025). Social science approaches show that exclusion is not caused solely by individual impairment, but also by

institutional inequality and ableism, institutional weakness, and social exclusion. Much of the research literature may focus on legal, teacher education, or institutional challenges. But there is a gap in a theoretical study which links institutional barriers, legal implementation and social science perspectives. As such, this study is designed to theoretically explore the institutional and legal issues in the implementation of inclusive education from a social science lens. The study has following objectives:

- To examine inclusive education as a legal, institutional, and social justice concern.
- To analyse the institutional and legal challenges affecting the delivery of inclusive education.
- To develop a social science-based understanding of inclusive education practice.

2. Review of Literature

2.1 Conceptualising Inclusive Education

Inclusive education is an educational strategy that embraces learner diversity and enables all learners, including those with disabilities and other support needs, to access, participate and enjoy quality education. It goes beyond the integration of students into the mainstream classroom, as it requires school cultures, teaching and assessment methods, curriculum and system supports to adapt. Integration tends to place learners with disabilities in educational systems without making fundamental changes, while mainstreaming tends to allow learners to participate only if they can fit into the "normal" classroom. Inclusion, on the other hand, involves changes to the education system to meet learners' needs. Therefore, access, participation, support, achievement, dignity and belonging. Inclusive education aims for classroom equity by acknowledging the advantages of inclusion and the challenges that need to be overcome for inclusion to be successful (Jardinez & Natividad, 2024).

2.2 Inclusive Education, Disability Rights, and Legal Foundations

Inclusive education is intricately linked to disability rights as it affirms education as a

human right, not a privilege or a favour. Students with disabilities have the right to education on an equal footing with others, without discrimination or exclusion. This includes appropriate accommodation, accessible facilities, flexible resources and support to help them participate fully. Students with disabilities still face educational disparities and need a range of supports, especially when institutions do not provide continuity, accessibility and sufficient accommodations (Wells, 2025).

The international advocacy for inclusive education is built upon legislation and policies that embrace equality, non-discrimination, accessibility, and participation. Inclusive education has been enshrined in law by the UN Convention on the Rights of Persons with Disabilities, and the Salamanca Statement advocated for the idea that schools should include all children where possible. The Sustainable Development Goal 4 added to the international commitment on inclusive and equitable quality education. UNESCO documents also endorse the idea that inclusion is about systemic change, rather than separate special education services. But principles do not translate into practice. Legal context is important for the implementation of inclusive education because legislation may be ineffective if there is limited awareness, commitment and enforcement (Notoprayitno & Jalil, 2019).

2.3 Institutional and Legal Barriers to Inclusive Education

Among the most intractable barriers to inclusive education are institutional ones. These are the untrained teachers, inaccessible school facilities, ineffective assistive technology, insufficient funding, ineffective learner-support structures, inflexible curriculum designs, and poor policy-school practice coordination. Although inclusive education is legally endorsed or even a policy, schools may not be in a position to achieve it. This is because of institutions that are under-resourced and which may not be able to offer individualised support, available learning resources, or even flexible assessment options. The most common obstacles to inclusive

schooling at the primary level are teacher issues, the organisational aspects, resource scarcity, and the inability to adjust the school setting to the needs of a variety of learners (Kurowski et al., 2022). The legal challenges occur when the laws on inclusive education are poorly applied, misunderstood, or even not translated into the institutional duties. Teachers and schools might not be well aware of their legal duties, and students and parents might be unable to have good procedures to affirm their rights. Feeble monitoring mechanisms, ineffectiveness of redressing grievances, ambiguity of institutional responsibilities, and symbolic compliance may diminish inclusive education to a mere formality without any tangible transformation. Legal pitfalls of inclusive education are interlinked with the teaching practices, policy loopholes, and practical challenges encountered by teachers in inclusive classrooms (Putri and Bimantara, 2025). These issues indicate that legislations have to be backed by binding obligations and feasible institutional procedures.

2.4 Teacher Responsibilities and Professional Preparedness

Educational leaders Educators are key players in the process of implementing inclusive education since they are the ones who translate principles of the policy into classroom practice. They are tasked with the role of identifying the needs of learners, modifying instructions, facilitating engagement, dealing with diversity, and fostering respectful learning classrooms. Nevertheless, these duties must be properly professionally trained. Inclusive pedagogy, disability awareness, differentiated instruction, assistive technologies, legal responsibilities, and collaborative support practices should be taught to the teachers. Inclusive education can add to the workload and uncertainty of the teachers without this preparation. The issues that teachers raise against inclusive education are closely connected with their attitudes especially in cases where they feel anxious about the workload, resources, and their capacity to address the needs of different learners (Jury et al., 2023). Teachers, whose attitudes towards inclusion are also determined by social support, also denote that teacher preparedness is

not just a personal question but also an institutional and a relationship question (Desombre et al., 2021).

2.5 Social Science Perspectives on Inclusive Education

In the social science approach inclusive education has to be perceived in the context of institutional disparity, ableism, social stigma, bureaucracy and power dynamics in education systems. The social model of disability is particularly applicable since it is the model that focuses not on personal impairment but on the obstacles that institutions and society put in place. Exclusion comes about when schools are formed based on limited assumptions of being normal, able, language, behaviour and achievement. Ableism and stigma can affect the perception of learners with disabilities by their teachers, peers, administrators, and communities. Support may be slowed down by bureaucratic hurdles, accessibility may be limited to accommodations or disjointed systems of responsibility. Education of teachers is significant in overcoming such obstacles since future teachers should be equipped to identify exclusionary frameworks and embrace inclusion practices. The obstacles to learning inclusivity during initial teacher training underline the significance of professional training in the development of inclusive attitudes, skills, and institutional reactions (Arnaiz-Sanchez et al., 2023).

2.6 Literature Gap

The literature indicates that legal recognition, institutional capacity, teacher preparedness, social attitudes and policy implementation are factors which influence inclusive education. Factors such as poor training of teachers, lack of funds, unavailable infrastructure, absence of assistive technology, poor legal awareness, and disjointed application are some of the common barriers. This discussion is further complicated by technology since digital tools may enhance access but could also serve to reproduce inequality in cases where teachers are not trained or the institutions are under-resourced. Inclusive education frequently faces a lack of sufficient

teacher training and preparation, insufficient infrastructure, financial disadvantages, and poor institutional responsibility to use technological tools (Murillo-Jiménez et al., 2025). In general, inclusive education is a well-known human-rights and social justice objective, although it is poorly implemented due to institutional weaknesses, vague legal obligations, insufficient resources, gaps between teacher preparedness, and social obstacles. The current literature tends to look at these problems in isolation, either in terms of policy, legal frameworks, teacher attitudes, institutional barriers, or disability rights. Thus, the study, which will tie these dimensions in a single framework based on social sciences, is needed. This is required due to the fact that inclusive education is not a legal requirement or pedagogical practice, but a process of legal, institutional, cultural, and social transformation.

3. Methods

3.1 Research Design

This study will follow a conceptual and document-based analysis research design. The research study analyzes the academic literature, legal discourse, policy studies, and social science views in inclusive education. This kind of design suits the analysis of institutional and legal challenges since the subject matter needs to be interpreted in terms of concepts, rights, policies, barriers to implementation and social structures. This study thus explores the issue of inclusive education as an educational, legal, institutional and social justice issue.

3.2 Nature of the Study

The research is based on the conceptual analysis which is based on social science. It concentrates on the institutional and legal issues, which influence the provision of inclusive education, especially with regard to learners with disabilities and varying learning demands. Such aspects as the weakness of legal commitments in cases of insufficient institutional capacity, ambiguity of responsibilities, scarce resources, poor accountability, and poor professional support were taken into account in the analysis. It also

explores the impact of institutional organization, teacher roles, legal consciousness, policy execution and social perception on the effective provision of inclusive education. This analysis is supported with existing research on the role of teachers, legal culture, dilemmas in implementation, and policy barriers (Mosala and Sefotho, 2025; Notoprayitno and Jalil, 2019).

3.3 Sources of Analysis

The study is based on articles, legal and policy documents, international conventions and declarations, inclusive education frameworks, literature on disability rights, and institutional and social science scholarship. The relation of inclusive education, legal accountability, institutional capacity, and social inclusion was explored in these sources. The discussion covers literature on the rights of learners with disabilities, policies led to inclusive education, teacher roles, law related issues, societal obstacle and institutional issues.

3.4 Selection of Sources

The sources were chosen based on their relevance to inclusive education, disability rights, legal framework, policy implementation, and institutional challenges. Emphasis was placed on the research that directly tackles the issue of inclusive education concerning law, teacher accountability, school-level practice, institutional backing, and systemic obstacles. The chosen sources are the research on the legal obligations of teachers in inclusive education, the legal culture in practice, the legal dilemmas of classroom practice, and obstacles to delivering the inclusive education policy (Mosala and Sefotho, 2025; Notoprayitno and Jalil, 2019; Putri and Bimantara, 2025; Ratheeswari and Nallathambi, 2023).

3.5 Analytical Strategy

The analysis employed in the study is the deductive thematic analysis. It was analyzed based on the pre-identified conceptual categories based on the focus of the study, which included legal recognition, institutional capacity, teacher preparedness, reasonable accommodation, accountability, enforcement, and social inclusion.

These categories were used to interpret relevant arguments and findings of the chosen literature to determine common themes in the discussion of law, institutional, and social sciences. Thematic analysis was employed to analyze the way various sources describe implementation gaps in inclusive education. The Results section is based on the identified themes and introduces institutional and legal challenges as interrelated barriers to delivering inclusive education.

3.6 Theoretical Framework

This study is structured around three complementary approaches: The rights-based approach to education, the social model of disability, and institutional theory. These views allow addressing the problem of inclusive education as a legal, institutional, and social process. The social model of disability describes disability as not only an individual condition but rather a consequence of impediments formed by social, institutional, physical and attitudinal environments. In this light, the exclusion of learners is not merely because of impairment, but because schools, school curriculum, assessment, infrastructure and social attitudes are not designed to be inclusive of diversity. This model applies to inclusive education since it changes the focus to the limitations of the learner and focuses on the role of the institutions to eliminate the barriers. It upholds the thesis that inclusive education needs accessible infrastructure, accommodating pedagogy, aiding support, and anti-discriminatory school cultures.

The rights-based approach considers education as a right and moral obligation but not a luxury. It lays stress on equality, dignity, participation, accessibility and a reasonable accommodation. In this context, students with disabilities should be given equal access to education opportunities as other students and schools are obligated to make sure that legal provisions are converted into practice. This method is relevant in the analysis of legal issues in inclusive education as it demonstrates the difference between the formal acknowledgement of rights and the real capacity of learners to enjoy the rights in schools.

The institutional theory helps to understand how the educational systems work in terms of rules, norms, routines, resources and organisational practices. It assists in understanding why inclusion education policies can be present in the form of policies, but they are weak in reality. Institutions can implement an inclusive language and legal promises and then uphold exclusionary practices because of the lack of resources, ambiguous roles, bureaucracy, poor monitoring, or change resistance. This view can be applied to the policy-practice gaps, in that, it demonstrates that legal reform is not adequate unless the institutional structures can undertake and maintain inclusive practices.

4. Results

Findings are discussed as thematic results which are created out of conceptual and document-based analysis. The results are structured based on the consistent institutional, legal, professional, and social obstacles influencing the provision of inclusive education. The themes demonstrate that inclusive education does not happen only at the policy recognition level, it is driven by the practice between the legal obligation, the capacity of an institution, teacher readiness, access, accountability and social acceptance.

4.1 Legal Recognition and Implementation Gap

A key finding is that inclusive education has become a popular concept in legislation, policies and international rights-based institutions, but without translating into effective practice. The right to access education regardless of disability and other learning needs without discrimination is often enshrined in legal documents that apply to all learners. Nevertheless, the practical implementation of these rights is still unequal in cases where institutions are not well endowed, unclear in administration and lack implementation mechanisms.

This disconnect exposes discrepancies between educational experiences, written rights, and lived educational experiences. Students have a legal right to inclusive education and yet they might

still feel excluded by unreachable classrooms, support facilities, incompetent educators, inflexible grading frameworks, or slow provision of accommodations. Inclusive education in these situations might be formally enshrined in the law but not a substantive institutional reality.

The implementation gap is not actually a legal problem. It is an institutional and social problem

as well. Legal guidelines are the guide but it is schools and educational authorities that decide whether or not inclusion will be a reality. Inclusive education is symbolic and not real when it is not backed by practical mechanisms as stipulated by the law. The central aspects of the discrepancy between the law and the reality are outlined in Table 1.

Table 1. Legal Recognition and Implementation Gap in Inclusive Education

Dimension	Legal Expectation	Implementation Challenge	Practical Consequence
Right to education	All learners should have equal access to education	Access may be limited by institutional barriers	Learners are admitted but not fully supported
Non-discrimination	Learners with disabilities should not be excluded	Discriminatory practices may continue informally	Exclusion persists within mainstream settings
Reasonable accommodation	Schools should adapt to learner needs	Lack of resources and unclear procedures	Learners may not receive necessary support
Inclusive participation	Learners should participate meaningfully	Rigid curriculum and assessment systems	Participation remains partial or limited
Legal enforcement	Institutions should be accountable	Weak monitoring and grievance systems	Rights remain difficult to claim

The shift in the legal recognition to learner experience can be demonstrated in Figure 1 which reveals that the lack of institutional

responsibility and the scarcity of implementation capacity disrupt the realisation of inclusive rights to education.

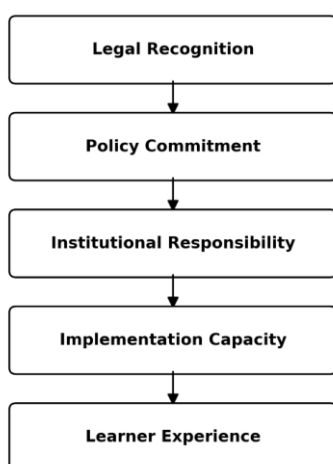


Figure 1. Gap Between Legal Recognition and Institutional Implementation

4.2 Institutional Capacity Barriers

The institutional capacity plays the leading role in providing inclusive education. Although schools may be legally required to accommodate all learners, most of them do not have the structural and professional facilities to effectively accommodate them. The most prevalent capacity barriers are poor infrastructure, lack of trained teachers, assistive technology, financial constraints, inadequate support staff skills, and poor learner-support systems.

The question of whether inclusion is a practical or not will depend on institutional readiness. Meaningful inclusion can only be achieved in a school when learners with disabilities are included in general classrooms. It should also offer convenient structures, modified educational resources, flexible education, qualified teachers, inclusive evaluation systems and support services. Inclusion cannot be complete without these elements.

The situation in under-resourced institutions is especially problematic as they tend to be under the pressure of meeting the requirements of inclusive education without the necessary financial, technical, and administrative assistance. This puts a discrepancy between policy anticipations and real-life school capacity. Consequently, students can be physically present in the school but not involved fully.

4.3 Teacher Responsibility without Adequate Support

The teachers are at the heart of the inclusive education, yet they tend to be requested to play multifaceted roles without proper assistance. Teachers must be able to modify instructional practices, learners, classrooms, and to provide inclusive educational opportunities and to support learners with disabilities. Nevertheless, these roles are challenging in the absence of professional development, classroom support, clarity of the law, and institutional support in the teachers.

The analysis reveals that the responsibility of teachers is frequently increased without the support. This brings about professional uncertainty and could be a cause of stress, work pressure, and irregular implementation. Teachers might be open to the idea of inclusive education but lack either the training or the resources to make it successful.

The major problem is that there is no legal and professional clarity. Educators might not necessarily know the scope of their duties, rights of students, or how to seek assistance. In case of a weak institutional guidance, teachers can be left to make personal decisions in complex situations. This may lead to disparate practices in schools and classrooms. Table 2 presents the key institutional and teacher-related obstacles to delivering inclusive education.

Table 2. Institutional and Teacher-Related Barriers to Inclusive Education

Barrier Category	Specific Barrier	Effect on Inclusive Education
Infrastructure	Inaccessible buildings, classrooms, toilets, and transport	Limits physical access and learner independence
Human resources	Shortage of trained teachers and support staff	Reduces quality of individualised support
Professional development	Limited training in inclusive pedagogy and disability rights	Creates uncertainty in classroom practice
Teaching resources	Lack of assistive technology and adapted materials	Restricts participation and learning
Funding	Insufficient financial support for inclusive measures	Prevents sustainable implementation

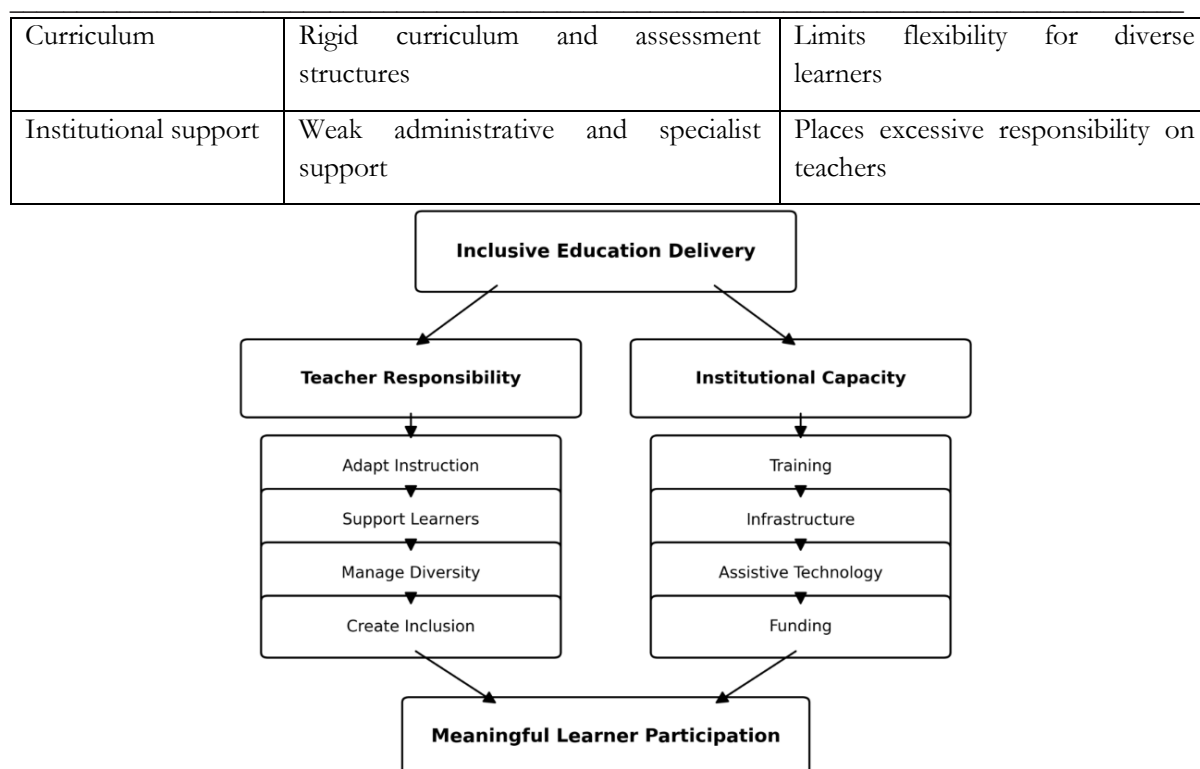


Figure 2. Relationship Between Institutional Capacity and Teacher Responsibility

As Figure 2 demonstrates, the responsibility of teachers and institutional capacity should work in tandem. Inclusive education is weak and uneven when it is supposed to be enforced by the teachers but without the institutional backing.

4.4 Reasonable Accommodation and Accessibility Challenges

Inclusive education is all about reasonable accommodation since it makes the disabled learners to be able to contribute on an equal level with the rest. It can consist of accommodated instructional techniques, learning resources, assistive technologies, adapted evaluation, classroom assistance, communication assistance, and physical access. Nevertheless, accommodation is not usually carried out as it may be due to practical barriers. Schools might be unaware of accommodation policies, funds to purchase assistive technology, personnel to train and use, or administrative policies to identify and address the needs of learners. In other instances, accommodations can be considered as voluntary changes as opposed to being mandatory to equality.

It leads to a scenario whereby learners have been formally enrolled but not meaningfully included. Access to school physically does not mean one will participate in learning. A learner can be in the classroom but not be part of the instruction, assessment, peer interaction or extracurricular activities due to a lack or delay of accommodations. As such, accessibility should be perceived not in a narrow sense but rather in a broad sense: it is physical, pedagogical, technological, communicative, and social access.

4.5 Accountability and Enforcement Weaknesses

Inclusive education is sabotaged by weak accountability and enforcement mechanisms. Laws and policies can be included but little is done unless there are institutions which are checked or made accountable to non-compliance. Monitoring systems tend to be weak, fragmented or oriented on formal reporting as opposed to the real experience of learners.

Mechanisms of redressal of grievances can also be inadequate. Learners/families might be unaware of how to report exclusion,

accommodation denial, discrimination, or support deficiency. There might be slow, inaccessible or ineffective complaint systems even when they exist. This undermines the practical usefulness of legal rights.

The lack of enforcing results in symbolic compliance. Institutions might seem to be inclusive by policy or admission practice or

official pronouncement, but they do not offer the conditions of substantial participation. Substantive inclusion needs; it needs an obligation, periodic review, an open grievance procedure and non-compliance penalties. Table 3 summarises the key accountability shortcomings and the impact they have on inclusive education.

Table 3. Accountability Weaknesses and Their Effects

Accountability Area	Weakness	Effect on Inclusion
Monitoring	Limited evaluation of actual inclusive practices	Problems remain hidden or unaddressed
Legal enforcement	Weak implementation of duties and obligations	Institutions may avoid responsibility
Grievance redressal	Inaccessible or slow complaint mechanisms	Learners and families struggle to claim rights
Policy evaluation	Lack of regular review of inclusive education measures	Policies become outdated or ineffective
Institutional reporting	Focus on formal compliance rather than learner outcomes	Inclusion becomes symbolic
Resource accountability	No clear responsibility for funding and support gaps	Schools lack necessary implementation capacity

4.6 Social and Cultural Barriers

There are still social and cultural obstacles to inclusive education. The ways learners with disabilities are treated in their schools and communities may be influenced by stigma, ableism, negative attitudes toward disability and low expectations. These obstacles can be informal based on peer exclusion, teacher presumption, resistance of parents, or institutional culture which views disability as an issue instead of one of learner diversity.

Of particular social scientific interest is ableism as it demonstrates how education systems can be biased towards limited conceptions of ability, performance, behaviour, communication, and achievement. Students who fail to meet these expectations can be termed as troublesome, incompetent, or unworthy of regular schooling.

These attitudes may undermine the efficacy of legal and institutional changes.

Dignity and participation are also subject to social exclusion. Inclusive education is not just about physical location, it involves being part of. Inclusion will not be complete in case the learners are in school but are isolated, stigmatized or their expectations are low. Hence, legal and institutional reforms can only be meaningful with social and cultural transformation.

4.7 Fragmented Governance and Policy Coordination

Divided administration undermines inclusive provision of education. Inclusive education can involve the collaboration of various players, such as education departments, schools, legal agencies, disability services, health practitioners, social welfare, teacher-training institutions,

families, and communities. Lack of coordination among these actors can result in delays, confusion, and gaps in support to learners.

Policy fragmentation is whereby various departments or institutions have a partial responsibility, but there is no mechanism to ensure the integrated implementation. An example is that disability assessment, school placement, funding and assistive technology may be the responsibility of different agencies. Lack of co-ordination could lead to delayed or non-conferred support.

Inclusive education is also impacted by administrative delays. Students can wait until they are assessed, by devices, learning resources or in the classroom. These time lags are capable of decreasing involvement and success. Fragmented governance is thus one of the structural obstacles which do not allow the translation of legal rights to timely educational support. Figure 3 shows the inter relationship of legal, institutional, professional, accessibility, and social barriers.

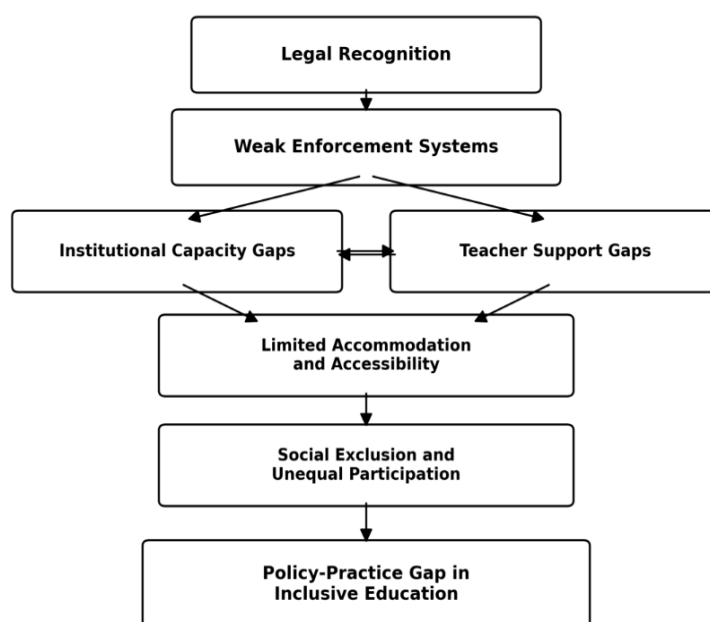


Figure 3. Interconnection of Institutional and Legal Barriers

The barriers are interrelated as illustrated in Figure 3. The legal status could be there but the enforcement is weak, institutional capacity is low, teacher support is poor, accommodation is poor and social exclusion cumulates to create a persistent policy-practice gap.

5. Discussion

The thematic results suggest that institutional and legal issues in inclusive education are intertwined. This research investigated the influences of inclusive education by legal recognition, institutional capacity, professional responsibility, accessibility, accountability, and social inclusion. The results indicate that inclusive education cannot be interpreted in

terms of policy statement or legal right. Though inclusion is established by laws and policies, the practical impact of these policies on inclusion is based on the ability of institutions to translate rights into available, supported, and meaningful educational experiences. Institutional and legal barriers in this sense cross-enforce. Weak legal enforcement minimises institutional accountability, and the inadequate institutional capacity makes the realisation of legal rights impossible in practice. Thus, inclusive education should be viewed as an integrated legal, institutional, pedagogical and social process, but not as a policy goal.

One of the key arguments that arise out of the findings is that law cannot provide inclusive

education on its own. Legal rights are also necessary as they determine the entitlements, ban discrimination and state the state and institutional responsibilities. Nevertheless, these rights are symbolic when they are not endorsed by the implementation mechanisms. Inclusive education laws might be promising access, participation, and reasonable accommodation, yet it still can be the case that learners are excluded in case the schools do not have resources, trained personnel, and available infrastructure, and effective monitoring systems. This proves the necessity to consider accountability as one of the main elements of inclusive education and not as an administrative add-on. Accountability should be on legal, institutional, professional and classroom levels to ensure that inclusive education does not become formal compliance (Kuyini, 2025).

Meaningful inclusion is thus only possible when institutional readiness is present. The education systems and schools need to be able to react to diversity among learners in a structural way. This involves accessible facilities, assistive technology, trained educators, sufficient financing, dynamic curriculum, expert assistance, and procedures of recognizing and addressing individual requirements. In its absence, the inclusion is restricted to enrolment as opposed to participation. Institutional readiness is the process that fills the gap between the legal recognition and educational practice. The inclusive education demands empowering the entire education system to be able to address all the learners instead of disability inclusion being an isolated or peripheral intervention (World Bank, 2020). The observation that institutional capacity is not optional is supported by this perspective, which is that the operational basis of making legal commitments meaningful.

The results further demonstrate that teachers play a key unapologetically underexplained role in inclusive education. The teachers are supposed to modify their lessons, handle diverse classes, assist learners with disabilities, communicate with families, and advocate the rights of learners. These responsibilities are not only pedagogical,

but also legal and ethical. But it is not up to teachers to bear the burden of inclusion on their own. They need legal understanding and legal autonomy, ongoing training, classroom tools and classroom resources, administrative assistance and specialist cooperation. Policy-practice gaps are exacerbated when teachers are anticipated to engage in inclusive education without sufficient support. Multi-dimensional support, such as teacher well-being, teacher engagement, teacher resilience, and whole-school methods is needed in inclusive schools (Deroncele-Acosta and Ellis, 2024). This supports the argument that institutional systems should support teacher preparedness and not an individual responsibility.

The social science contribution of this discussion is an explanation of the exclusion process as a structural and institutional process. The social model of disability can be used to explain that learners are not locked out as a result of impairment or learning difference they are locked out because of the way schools, curricula, assessment systems, physical environments and social attitudes have been structured on limited assumptions about ability. Institutional theory offers an explanation as to why inclusive education policies can be formally adopted yet poorly implemented because of organisational routines, bureaucratic slowness, and resource constraints and fragmented governance. This right-based approach also demonstrates that education is not an option service but it is a legal and moral right based on dignity, equality, and participation. Inclusion and equity are thus supposed to be interpreted as system level concepts that entail the education systems to eliminate obstacles and make sure that all learners count equally (UNESCO, 2017).

On the thematic findings, the conceptual framework of inclusive education delivery can be explained by five components (interrelated) that are legal recognition, institutional capacity, inclusive pedagogical practice, social inclusion, and accountability. Legal recognition consists of rights, laws, policy commitments, non-discrimination and reasonable accommodation.

The institutional capacity is the infrastructure, training of teachers, funds, assistive technology, support structures and administrative coordination. Inclusive pedagogy incorporates flexible curriculum, differentiated instruction, learner-centred support and accessible assessment. Anti-stigma culture, peer acceptance, parental involvement, community involvement and rejection of ableist assumptions are social inclusion. Monitoring, grievance systems, policy evaluation, legal compliance and consequences of institutional failure are some of the aspects of accountability and enforcement. These elements should work in tandem with each other. When one of the elements is weak, the whole inclusive education process is thrown off track.

The policy and practice implications are huge. To begin with, legal implementation should be enhanced in such a way that the right to inclusive education is not reduced to the written promises. Second, the teacher training programmes are supposed to incorporate disability rights, inclusive pedagogy, classroom adaptation, and reasonable accommodation. Third, the institutional support should be enhanced by providing funds, assistive technology, specialist staff, and available infrastructure. Fourth, the grievance mechanisms must be transparent, open and receptive to enable the learners and families to question exclusion. Fifth, inclusive cultures in schools need to be developed to combat stigma, ableism, and low expectations. Indicators of inclusive education indicate that inclusive education can have both educative and social gains to learners with and without disabilities, provided that it is effectively supported (Hehir et al., 2016).

Monitoring and evaluation are also found to be important. Inclusive education systems should be regularly assessed not only of the existence of policies, but also of the actual implementation and experience of learners. Observation will focus on whether the learners are being accommodated, are engaged in classroom activities, access to support services, and they feel dignified and belonging. Monitoring and

evaluation systems play a key role in comprehending the functioning of inclusive education policies in the field and the relationships between school-level experiences and systemwide reform (European Agency for Special Needs and Inclusive Education, 2025). This helps to argue that accountability should be evidence based, ongoing and linked with the practice in schools and system-based reform.

There are limitations to the study. It is founded on conceptual and document-based analysis as opposed to primary empirical data. It relies on chosen legal, policy, and scholarly references, and interpretation might differ depending on national and institutional settings. Due to the variation in the education systems of different countries with inclusive education, findings cannot be considered as the same everywhere. Future studies must incorporate the empirical research on teachers, administrators, learners, parents, policymakers and disability-rights practitioners. The country-level comparative studies would assist in studying the differences in the implementation of the legal framework and institutional system. More study is also required in the rural, under-resourced and marginalised learning environments where institutional and legal issues may be more acute. Research in the future ought to assess the grievance systems, monitoring systems, teacher preparation programmes and reasonable accommodation practices so as to produce more robust evidence on inclusive education reform.

6. Conclusion

This study has discussed the social science challenges of institutional and legal issues surrounding the provision of inclusive education. As the discussion indicates, legal recognition is not sufficient to attain inclusive education. Whereas laws, policies, and rights-based frameworks play a critical role in creating equality, non-discrimination, and access, the effectiveness of these strategies is based on institutional capacity, professional preparedness, accountability, and social acceptance. The results reveal that the policy-practice gap in inclusive education is determined by poor

implementation, institutional responsibility, insufficient teacher training, inappropriate assistive technologies, inaccessible infrastructure, inadequate funding, and poor support systems. Another important point as noted in the study is that teachers are at the heart of the implementation of the principles of inclusive education in the classroom. But this role cannot be effectively played by teachers without clear legal guidance, ongoing professional development, administrative support and sufficient resources. Equally, disabled and diverse learners can be officially enrolled in schools but they are still left out of meaningful participation in the absence of reasonable accommodation, access and support that are learner centric. In the social science approach,

inclusive education should be interpreted as a legal, institutional, pedagogical and cultural change process. Individual impairment is not the only producer of exclusion, but so are the attitudes of the society, ableist beliefs, bureaucracy, and institutional inequalities. Consequently, inclusive education should be enhanced by enforcing laws, enhancing institutional preparedness, accessibility of learning facilities, inclusive teaching methods, efficient grievance systems, and anti-stigma school climates. Future studies need to empirically test the working of these problems in different educational environments, particularly in under-resourced and marginalised environments.

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