Inclusive Education in Vietnam: A Philosophical and Policy Analysis from a Human Rights Perspective

Nguyen Thi Thanh Phuc[1], Vo Van Dung[2]

[1]Van Hien Education, No 665-667-669 Dien Bien Phu, Ward 1, District 3, Ho Chi Minh City, Vietnam

https://orcid.org/0009-0004-3174-806X

[2]University of Khanh Hoa, No. 1 Nguyen Chanh street, Loc Tho Ward, Nha Trang City, Khanh Hoa, Vietnam

Email: vovandung@ukh.edu.vn

https://orcid.org/0000-0001-8137-6939

Corresponding author: Vo Van Dung Email: vovandung@ukh.edu.vn

HOW TO CITE:

Nguyen Thi Thanh Phuc, Vo Van Dung (2026). Inclusive Education in Vietnam: A Philosophical and Policy Analysis from a Human Rights Perspective. International Journal of Special Education, 41(5s), 01-13.

COPYRIGHT STATEMENT:

Copyright: © 2026 Authors. Open access publication underthe terms and conditions of the Creative CommonsAttribution (CC BY) license (http://creativecommons.org/licenses/by/4.0/).

ABSTRACT:

Inclusive education has expanded in Vietnam, yet gaps persist between policy commitments and implementation. This qualitative study combines normative philosophical analysis with policy analysis of key legal and institutional frameworks on education and disability. The findings show a sustained tension between a welfare-oriented model that treats inclusion as support and a rights-based model that frames it as a binding state obligation. This tension contributes to fragmented policy instruments, weak accountability, and uneven school-level provision. The article proposes an integrated framework that connects welfare and rights through social justice, equality, and human dignity, and uses it to derive policy implications. It argues for operationalizing inclusive education as an enforceable right through measurable standards for accessibility, reasonable accommodation, and learning support, alongside stronger monitoring focused on participation and learning progress.

Keywords: Inclusive education, human rights, disability, Vietnam, education policy.

1. Introduction

In recent years, global education has witnessed a structural shift from the model of special education to that of inclusive education. Whereas special education places emphasis on segregating learners with special needs into specialized settings, inclusive education aims to restructure the entire education system to ensure that all learners can participate on an equal basis within the same educational environment. This shift is not merely technical or pedagogical in nature; it reflects a profound philosophical and normative transformation, from a deficit-based approach to one grounded in rights and human dignity. The United Nations Convention on the Rights of Persons with Disabilities (CRPD) serves as a crucial legal foundation in redefining the right to education. Article 24 of the Convention clearly affirms that inclusive education is not a discretionary policy choice driven by goodwill, but a legal obligation of States Parties to guarantee the right to education on the basis of equality and non-discrimination. By shifting the focus from welfare-based support to rights-based guarantees, the CRPD has contributed

to establishing a new normative standard, under which the state bears responsibility for creating institutional conditions, allocating resources, and ensuring learning environments that accommodate the diversity of learners.

In Vietnam, on June 17, 2010, the National Assembly promulgated the Law on Persons with Disabilities, comprising 10 chapters and 53 articles. This law provides for three modes of education for persons with disabilities, including inclusive education, semi-inclusive education, and special education. Furthermore, Circular No. 03/2018/TT-BGDĐT dated January 29, 2018, issued by the Ministry of Education and Training, regulates inclusive education for persons with disabilities. Inclusive education has gradually been institutionalized through various legal documents and policies. These efforts have contributed to expanding access to education for persons with disabilities, while also raising social awareness of the right to education among vulnerable groups. However, the policy system still exhibits fragmentation and a lack of coherence across different levels and sectors. Inconsistencies in policy design and implementation, together with limitations in resources, professional capacity, and monitoring mechanisms, have undermined the effectiveness of inclusive education in practice.

Against this backdrop, a central research question arises as to why the gap between policy commitments and practical implementation continues to persist. Addressing this question requires moving beyond a purely descriptive approach and engaging in a deeper analysis of the philosophical foundations of policy. It is precisely this normative inconsistency that has led to limitations in realizing inclusive education as a fundamental right, rather than merely a discretionary support policy.

To conduct this study, we formulated three research questions as follows:

RQ1: Should inclusive education be understood as a right or as a welfare policy?

RQ2: Which model is reflected in the Vietnamese legal system?

RQ3: How can an integrated framework based on human rights be developed?

2. Literature review

2.1. Models of approaching disability

To date, numerous understandings of disability have been developed. In this study, we classify them into three prominent models that are most widely used globally: the medical model, the social model, and the human rights–based model.

The medical model views disability primarily as an individual problem, originating from impairments in physical or psychological functioning (Forstner, M., 2022; Goldiner, A., 2022). This approach emphasizes the necessity of intervention through diagnosis, treatment, and rehabilitation in order to bring individuals closer to a "normal" state (Guo, Y., et al., 2024; Murnaghan, S., et al., 2024). In the field of education, this model leads to the organization of segregated forms of special education, where learners are classified and supported based on the degree of deficit. While it plays an important role in providing specialized services, the medical model tends to confine disability to the individual level, thereby obscuring structural and environmental factors.

The social model shifts the analytical focus from the individual to the broader context (Salah, M., et al., 2023; Nielsen, K. S., et al., 2024). From this perspective, disability is not solely the result of biological impairment but also of social barriers (Sharma, A., 2024; Shafik, W., 2025). These barriers include the physical environment, cultural prejudices, and institutional mechanisms. The issue does not lie in the "difference" of learners, but in the inability of the education system to accommodate such diversity. In education, the social model provides the foundation for the development of inclusive education, which entails reforming curricula, teaching methods, and learning environments so that all learners can participate on an equal basis.

The human rights–based model can be understood as an approach that integrates the strengths of the two preceding models. It emphasizes that persons with disabilities are holders of fundamental rights,

among which the right to education occupies a central position (Sedova, P., 2024; Ruškus, J., 2023; Lombard-Vance, R., et al., 2023; Njelesani, J., et al., 2022). Disability is not merely a social issue to be addressed, but also a matter of justice that requires legal, institutional, and policy guarantees. This approach highlights principles such as non-discrimination, equality of opportunity, full participation, and respect for human dignity. It also establishes clear obligations for the state to ensure the conditions necessary for the realization of these rights.

The above analysis indicates that all three models possess certain strengths and limitations. However, each has been significantly influenced by the "deficit" model. Although rooted in the medical approach, this model has deeply permeated educational thinking by framing learners through a lens of deficiency, deviation from norms, or a need for "correction." As a result, educational policies and practices are prone to tendencies of classification, labeling, and lowered expectations. Criticism of the "deficit" model does not aim to deny the need for individualized support, but rather to reorient the approach toward recognizing difference as a normal aspect of human diversity. Inclusive education is therefore not merely an organizational solution, but a normative choice reflecting a commitment to building an education system grounded in equity, respect, and human dignity.

2.2. Theories of justice and education

Analyzing inclusive education from a human rights perspective requires a solid theoretical foundation. It is not merely a matter of resource distribution, but also concerns how society perceives difference. Among the most influential approaches are John Rawls's conception of justice, Amartya Sen's capability approach, and Nancy Fraser's multidimensional theory of justice.

According to John Rawls, justice is understood as fairness (Yeşilkaya, N., 2022; Idoko, B. O., & Okeke, E. K., 2025; Triyudiana, A., & Neneng, P., 2024). This view is grounded in two fundamental principles: ensuring equal basic liberties for all and permitting inequalities only if they benefit the least advantaged members of society. These approaches emphasize the role of the state in establishing a rational system of resource distribution to ensure fair educational opportunities. Rawls argues that investment in inclusive education is not a form of preferential treatment, but a necessary condition for achieving substantive justice. However, Rawls primarily focuses on the distribution of "primary goods" and does not fully address differences in individuals' ability to convert these resources into actual outcomes. This gap is further developed by Sen through the capability approach.

Amartya Sen shifts the focus by asking what individuals are actually able to do and to be, rather than merely considering the distribution of resources (Bajmócy, Z., et al., 2022; Jamil, S., 2024; Wasito, A., & Wasito, A., 2023). Education should not be limited to ensuring access to schooling, but must also create conditions for learners to develop core capabilities appropriate to their circumstances and individual characteristics. For persons with disabilities, the capability approach is particularly significant, as it recognizes that the same resources may lead to very different outcomes depending on personal and environmental conditions. Inclusive education, therefore, is understood not merely as physical presence in the classroom, but as the ability to participate meaningfully and to achieve valuable educational outcomes.

Nancy Fraser expands the concept of justice by integrating redistribution and recognition. According to Fraser, injustice arises not only from material deprivation, but also from the misrecognition, marginalization, and cultural exclusion of social groups (Fraser, N., 2008; Mercan Küçükakın, P., & Gökmenoğlu, T., 2025; Fazio, G., & Taraborrelli, A., 2023; Maurya, S. K., 2026). This perspective highlights the challenges faced by persons with disabilities, who encounter both capability constraints and devaluation. Therefore, inclusive education requires not only fair resource distribution, but also the restructuring of cultural norms and pedagogical practices.

The above analysis indicates that justice in education cannot be reduced to a one-dimensional issue. An inclusive education system requires not

only equitable distribution of resources, but also the enhancement of learners' actual capabilities, alongside the creation of an environment that recognizes and respects diversity. This constitutes a crucial theoretical foundation for moving from a formalistic approach toward a model of education oriented toward substantive and sustainable justice.

2.3. Research on inclusive education

In recent years, inclusive education has become one of the central topics in global educational research. The growing body of literature reflects practical demands to expand learning opportunities for learners with special needs. It also indicates a shift from classification-based approaches to those grounded in diversity and human rights.

At the international level, research on inclusive education can be broadly categorized into several major trends. The first is the normative trend (Byrne, B., 2022; Biermann, J., 2022; Alfredsson, G., & Eide, A., 2023), which focuses on affirming inclusive education as a fundamental right, strongly influenced by international human rights instruments. The second is the policy-oriented trend (Molchanova, E., 2025; Mosala, M., & Sefotho, M. M., 2025; Sata, S. K., 2025), which examines how countries design and implement legal frameworks to promote inclusive education, while also highlighting the challenges of translating commitments into practice. The third is the empirical trend (Esengulova, M., et al., 2025; Baş, G., 2022; Khamzina, K., et al., 2024), which investigates factors affecting the effectiveness of inclusive education, such as teacher capacity, curriculum design, learning environments, and community participation. Despite approaching the issue from different perspectives, these trends share a common emphasis on the need to restructure education systems toward greater flexibility and inclusiveness.

In Vietnam, research on inclusive education has made significant progress, particularly over the past two decades. Most studies focus on describing the current situation, evaluating policies, and proposing solutions to enhance the implementation of inclusive education in general education institutions (Thi Thao, D., et al., 2024; Xuan Hai, N., et al., 2025). These studies highlight important achievements, such as expanded access to education for persons with disabilities, increased social awareness, and ongoing policy reform efforts. At the same time, they identify systemic limitations, including resource constraints, insufficient teacher training, and a lack of coherence in implementation.

A notable gap in the current literature is the absence of in-depth philosophical analyses of the normative foundations of inclusive education. Most studies remain at the descriptive or policy level and do not sufficiently examine the philosophical assumptions that shape the understanding and implementation of inclusive education. This has led to the inconsistent, and sometimes contradictory, use of concepts such as justice, equality, and the right to education within the same policy system. Therefore, there is a need to incorporate a philosophical approach, particularly from the perspectives of human rights and social justice. Such an approach would not only clarify the theoretical foundations of inclusive education, but also enable a more critical evaluation of existing policies. On this basis, a coherent analytical framework can be developed, contributing to narrowing the gap between theory and practice, as well as enhancing the effectiveness and legitimacy of reforms in inclusive education in Vietnam.

3. Theoretical framework

The theoretical framework of this study is grounded in a human rights–based approach to inclusive education (Islam, M. K., 2022; Kakos, M., 2025; Brittle, R., 2023; Johnsson, C., 2025). These studies argue that inclusive education is not merely an educational policy, but also a concrete manifestation of social justice within the field of education. This approach enables a shift in analytical focus from the provision of supportive services to the guarantee of fundamental human rights. Learners with disabilities are thus regarded as rights holders rather than recipients of assistance. The literature emphasizes that the right to education is a fundamental, universal, and inalienable right. This right extends beyond ensuring access to the education system to include requirements of quality, appropriateness, and meaningful participation of learners. An education system can only be

considered just when it creates conditions that enable all individuals, regardless of differences in ability or circumstance, to fully develop their potential.

The human rights–based approach is operationalized through several core principles. First is the principle of non-discrimination, which requires the elimination of all forms of direct and indirect exclusion of learners with disabilities in both the design and operation of the education system. Second is the principle of equality of opportunity, which emphasizes that fairness does not mean identical treatment, but rather necessitates reasonable accommodations to ensure that each learner can access and participate in education according to their needs. Third is the principle of participation, which affirms the right of learners to be involved in decisions affecting their own educational processes. Finally, the principle of the best interests of the child requires that all educational policies and practices place the holistic development of the learner at the center.

Building on these principles, this study proposes a transformative analytical model. This model reflects a shift from a welfare-based approach to a rights-based approach, and further toward a broader conception of social justice. Under the welfare model, inclusive education is often understood as a supportive policy for vulnerable groups, contingent upon available resources and state priorities. In contrast, under the rights-based approach, inclusive education is defined as a legal obligation, requiring clear commitments and accountability from the state in ensuring equal educational rights. However, this transformation becomes fully meaningful only when situated within a broader framework of social justice, where education not only guarantees access but also contributes to restructuring social relations toward greater equity, inclusiveness, and respect for diversity.

4. Methodology

This study is designed as a qualitative inquiry aimed at clarifying the normative foundations and policy structures of inclusive education in Vietnam. Such an approach is appropriate for analyzing the depth of meanings, assumptions, and arguments embedded in legal texts and policy discourses.

The core methodological focus is the analysis of legal and policy documents. The study treats laws and regulatory instruments related to education and disability as concrete expressions of how the state defines rights, obligations, and mechanisms of implementation. Key documents—including the Law on Persons with Disabilities, the Law on Education, and national programs and strategies on inclusive education—are selected as primary data sources. These texts are systematically examined, coded, and compared in order to identify how concepts such as rights, equality, and inclusion are defined; what policy instruments are proposed; and how enforcement mechanisms are designed within the system.

Normative analysis is employed as a central tool to assess the consistency between human rights principles and the content and structure of educational policies. This approach makes it possible to question not only what policies prescribe, but also what standards they ought to meet within a framework of justice and respect for human dignity. On this basis, the study identifies gaps between normative commitments and institutional design, as well as internal tensions between different approaches. Particularly between welfare-based and rights-based perspectives.

Comparative analysis is used to situate the Vietnamese case in relation to international standards and experiences in inclusive education, especially those grounded in a rights-based approach. The purpose of comparison is not to identify an "optimal" model for replication, but to highlight points of convergence and divergence in how inclusive education is conceptualized. This, in turn, provides insights for improving policy within specific institutional and resource constraints. The combination of document analysis, normative analysis, and international comparison constitutes a coherent methodological framework, enabling inclusive education to be examined both as a policy issue and as a matter of social justice.

5. Research content

5.1. Inclusive education in Vietnam

The legal framework for inclusive education in Vietnam has been developed through a combination of constitutional guarantees of the right to education and equality, together with specialized legislation on education and disability. At the constitutional level, the right to education is recognized (2013 Constitution, Article 39), while the principles of equality before the law and non-discrimination are affirmed as foundational norms (2013 Constitution, Article 16). On this basis, subsequent laws and sub-law documents have progressively operationalized inclusive education both as a mode of educational provision and as a policy obligation that must be ensured. However, the process of institutionalization still reveals limitations in terms of coherence among legal documents, as well as in the mechanisms for effective implementation in practice.

The Law on Persons with Disabilities (Law No. 51/2010/QH12) serves as a foundational legal instrument in establishing the rights of persons with disabilities and the responsibilities of the State, families, and society. The Law defines "inclusive education" as a mode of education in which persons with disabilities learn together with persons without disabilities within the same educational institutions (Law on Persons with Disabilities, 2010, Article 2). Regarding education policy, the Law stipulates that the State shall create conditions for persons with disabilities to access education in accordance with their needs and abilities. It also provides for various forms of priority and support, including admission policies, curriculum adaptation, tuition exemptions or reductions, scholarships, learning equipment, and accessible materials and conditions (Law on Persons with Disabilities, 2010, Article 27). This normative design reflects both a rights-based orientation and elements of group-targeted support, as many provisions are implemented through preferential and assistance mechanisms rather than binding standards accompanied by accountability requirements.

The Law on Education (Law No. 43/2019/QH14) provides the general framework for the national education system and serves as an important basis for the "domestication" of inclusive education within educational policy. The Law affirms citizens' rights and obligations to education (Law on Education, 2019, Article 13) and establishes requirements for universal and compulsory education (Law on Education, 2019, Article 14). Notably, it contains a specific provision on inclusive education (Law on Education, 2019, Article 15), thereby establishing the principle of organizing education in accordance with learners' needs and creating conditions for learners from vulnerable groups (including persons with disabilities) to access and participate in education. However, in practice, many provisions at the statutory level remain broadly framed, requiring subordinate legislation to further specify quality assurance standards, the responsibilities of implementing actors, and monitoring mechanisms in order to translate these principles into measurable and verifiable obligations.

At the sub-law level, several instruments play a significant role in operationalizing inclusive education. Decree No. 28/2012/ND-CP, dated April 10, 2012, detailing and guiding the implementation of certain provisions of the Law on Persons with Disabilities, supplements regulations concerning training, policies for teachers, administrators, and support staff in disability education, as well as conditions ensuring implementation across relevant sectors. In the field of education, Circular No. 03/2018/TT-BGDĐT, issued on January 29, 2018, by the Ministry of Education and Training, regulates inclusive education for persons with disabilities by defining its scope, subjects of application, and requirements for organizing and implementing inclusive education in educational institutions. This includes provisions on the roles of teachers and support staff, as well as coordination mechanisms with inclusive education support centers. These instruments enhance the specificity and operability of policy; however, as they were promulgated at different times and across distinct governance domains (education and social affairs), the regulatory system remains at risk of fragmentation

and lacks a unified coordination and monitoring mechanism.

Overall, Vietnam's legal system has established a relatively clear normative foundation for the right to education, equality, and inclusive education, as reflected in the combination of constitutional guarantees (2013 Constitution, Articles 39 and 16), specialized legislation (Law on Persons with Disabilities, 2010; Law on Education, 2019), and implementing instruments (Decree No. 28/2012/ND-CP; Circular No. 03/2018/TT-BGDĐT). Nevertheless, the coexistence of two approaches: one emphasizing group-based support and preferential treatment, and the other emphasizing rights-based obligations and accountability. That approach has created a number of gaps and inconsistencies in policy design and enforcement mechanisms. This constitutes an important starting point for further analysis of whether the current legal framework reflects a welfare-based or a rights-based model, as well as the conditions necessary to realize inclusive education as a fundamental right in practice

5.2. The current situation of inclusive education in Vietnam

In recent years, inclusive education in Vietnam has experienced positive developments, reflected in the expansion of access to schooling for learners with disabilities and the increasingly explicit integration of inclusion objectives into the governance of the education system.

The Vietnamese government has consistently affirmed its commitment to ensuring equitable access to education for children and learners with disabilities, as reflected in legal frameworks (Law on Persons with Disabilities, 2010; Law on Education, 2019) and in planning orientations for the network of specialized educational institutions and inclusive education support centers. According to the 2023 Disability Survey, the disability rate among persons aged two and above is 6.11% (General Statistics Office, 2024). The 2023 Disability Survey conducted by the General Statistics Office was designed to collect comprehensive and inclusive data, drawing not only from households but also from commune-level People's Committees, primary and lower secondary schools, and local health stations. This reflects efforts to strengthen measurement and monitoring of the realization of the rights of persons with disabilities across multiple sectors, including education.

In Vietnam, there has been a noticeable shift in recent years from a "welfare-oriented" perspective toward an emphasis on rights and access to public services, including education. The inclusion by the General Statistics Office of survey modules on attitudes and perceptions toward persons with disabilities, as well as levels of social inclusion, indicates a growing recognition of the need to monitor the "non-material" dimensions of inclusion, alongside indicators of service access. The Vietnamese government has also prioritized participation in international commitments regarding the rights of persons with disabilities and the right to education. These commitments create momentum for improving institutional frameworks and strengthening implementation programs. In terms of policy planning, the orientations for the development of networks of specialized educational institutions and inclusive education support centers for the period 2021–2030, with a vision to 2050, emphasize the need to ensure equitable access to and enjoyment of quality educational services for persons with disabilities across all localities.

Despite these achievements, inclusive education in Vietnam continues to face significant structural constraints, reflecting a gap between policy commitments and implementation conditions. These limitations are evident in statistical evidence and official reports on disability and education in 2023.

Resource limitations and insufficient enabling conditions particularly in terms of infrastructure and accessibility remain major barriers. Findings from the 2016 National Survey on Persons with Disabilities, published by the General Statistics Office, indicate that only about 2% of primary and lower secondary schools were designed to be accessible to students with disabilities. This figure suggests that accessibility conditions within schools remain unevenly ensured, especially in disadvantaged areas. By 2023, the number of

schools enrolling students with disabilities had increased compared to 2016. According to the General Statistics Office (2024), 79.6% of schools nationwide had students with disabilities in 2023, an increase of 8.2 percentage points from 2016 (71.4%). In addition, the capacity of teaching staff and the availability of support personnel for inclusive education remain critical bottlenecks. Data from the 2016 survey show that only about one in seven schools had a teacher trained in educating children with disabilities. In response, the Ministry of Education and Training has introduced professional development programs for teachers in inclusive education, indicating that the state has recognized the need to standardize and strengthen professional capacity.

Mechanisms for screening, needs assessment, and individualized support also remain limited. According to the Ministry of Education and Training, a 2020 assessment of children with disabilities found that approximately 20% had not been issued disability certification. In many cases, assessment and educational planning continue to rely on medical records, observation, and practitioner experience, while standardized screening and in-depth assessment tools remain limited in availability. These constraints reduce the capacity to design appropriate individualized support and to monitor progress consistently.

These limitations indicate that inclusive education in Vietnam remains constrained by implementation conditions. Bridging the gap between policy commitments and practice therefore requires increased investment in accessibility standards, the development of teacher capacity, and the improvement of screening and assessment systems to support individualized education. It is also necessary to further utilize official statistical data and administrative education data to monitor progress through clear and verifiable indicators over time.

5.3. The relationship between welfare and rights in inclusive education from a philosophical perspective

A key issue shaping both the understanding and implementation of inclusive education in Vietnam is the interplay between welfare-based and rights-based approaches. These two perspectives differ not only conceptually, but also lead to distinct choices in policy design, resource allocation, and accountability mechanisms.

Under the welfare model, persons with disabilities are often positioned as beneficiaries, while inclusive education is treated as a supplementary support package aimed at "compensating" for individual limitations. Accordingly, policy tends to prioritize preferential measures such as exemptions, subsidies, allowances, or project-based programs, with the implicit assumption that the level of support depends significantly on available resources and the state's priorities at different stages. As a result, regulations are more likely to be framed as encouraging or optional "desirable if possible" rather than establishing binding obligations accompanied by minimum standards and mandatory monitoring mechanisms.

When reduced to supplementary support measures, inclusive education risks remaining at the level of "admission" rather than achieving genuine "inclusion." Learners with disabilities may be physically present in schools or classrooms, but are not necessarily guaranteed reasonable accommodations in teaching methods, assessment, learning materials, or accessible environments. In other words, physical presence does not equate to meaningful participation.

Under the rights-based model, inclusive education is established as a fundamental right closely linked to human dignity and the principle of non-discrimination. The right to education extends beyond mere access to schooling; it encompasses the right to learn in an appropriate environment, with reasonable accommodations and the necessary support to enable effective participation. The core of the rights-based approach lies in the obligation of the State to design and maintain an education system capable of inclusion, while also ensuring accountability mechanisms when rights are violated or inadequately fulfilled.

In practice, the transition from a welfare-based model to a rights-based model rarely occurs in a linear manner. In Vietnam, these two approaches

often coexist within the same legal instruments or across the broader policy framework. This overlap helps explain the gap between policy commitments and implementation conditions.

Under the welfare model, policies tend to emphasize protection (through the provision of services and support), positioning learners with disabilities as beneficiaries. In contrast, the rights-based model recognizes learners and their families as rights holders, entitled to participation, to request reasonable accommodations, and to monitor implementation. When these two approaches coexist within a single policy, a form of ambiguity may arise: support may be provided, but the right to participate in educational decision-making is not fully institutionalized through mandatory procedures. As a result, "support" does not fully translate into "empowerment."

Formal equality emphasizes equal treatment; however, in the context of inclusive education, identical treatment may reproduce inequality if the system does not implement reasonable accommodations or provide support tailored to individual needs. By contrast, substantive equality requires the redesign of learning environments and assessment methods in a flexible manner, recognizing difference as a normal aspect of learner diversity. This shift goes beyond expanding "access to schooling" to ensuring the conditions under which learners with disabilities can participate meaningfully and achieve valuable educational outcomes.

While welfare approaches are useful in initiating support, without being anchored in rights and accountability, they risk resulting in only superficial inclusion. A rights-based approach requires the standardization of obligations, the establishment of minimum standards, and the guarantee of reasonable accommodations to achieve substantive equality. Therefore, reform efforts should shift the focus from "support based on capacity" to "rights guaranteed through obligations." Inclusive education must be understood as a guiding principle of the education system, rather than merely a program or supplementary component.

5.4. Bridging the gap toward a human rights–based model

The proposed directions are grounded in a human rights–based approach and the requirements of social justice. The focus is structured around four pillars: governance transformation, learner-centered policy design, strengthened accountability, and the integration of inclusive education into general education. Based on these pillars, the article situates inclusive education within a theoretical framework that conceives inclusion as an expression of social justice. This integrated framework draws on the notion of "justice as fairness" and the capability approach, linking the requirement of resource distribution with the enhancement of learners' substantive outcomes.

The gap between policy commitments and the practical implementation of inclusive education does not stem solely from resource constraints. It is also related to the lack of consistency in framing inclusive education as a right. Therefore, narrowing this gap requires transforming governance structures and policy instruments toward a human rights–based approach, placing the responsibility of the State and educational institutions at the center.

A shift is needed from administrative management to rights-based guarantees. Under administrative practices, inclusive education is often implemented through plans and targets, with an emphasis on task completion rather than the realization of substantive educational rights. A rights-based approach requires a reorientation of governance objectives. The system should be evaluated based on the extent to which learners are able to access, participate, and make progress. At the same time, rights and obligations must be translated into enforceable standards that can be effectively monitored.

Policy design must be learner-centered. The core of inclusive education lies in addressing diverse needs within a shared learning environment. Schools should therefore establish mechanisms to identify individual needs, provide reasonable accommodations, and monitor each student's progress. Individualized education plans represent a key instrument in this regard, and should be linked

to assessment for learning and pedagogical adjustments. When learners and their families are involved in decision-making processes, both the agency of learners and the appropriateness of support are enhanced.

Accountability mechanisms must be strengthened to ensure policy effectiveness. When inclusive education is recognized as a right, both the State and educational institutions are responsible for ensuring its realization. Monitoring and evaluation mechanisms must be transparent, and channels for feedback and complaints must function effectively. Learners and their families should be able to request adjustments when their rights are affected. Strengthened accountability also contributes to building trust in the education system.

Inclusive education must be substantively integrated into the general education system. It should not be treated as a separate domain. Instead, inclusive principles should be embedded in curricula, teaching methods, assessment practices, and school management. Such integration reduces the divide between "general education" and "special education" and enables more efficient use of resources.

Based on these orientations, the article proposes an analytical framework that conceptualizes inclusive education as a matter of social justice. This framework combines two lines of reasoning: that of Rawls and that of Sen. The first, grounded in Rawls, emphasizes the distribution of resources according to the principle of prioritizing vulnerable groups, with the aim of ensuring substantive rather than merely formal opportunities. The second, based on Sen, emphasizes the development of capabilities, evaluating education in terms of learners' ability to participate and achieve meaningful progress. This integrated framework avoids two extremes: it neither reduces inclusion to discretionary support, nor remains at the level of abstract rights affirmation. Instead, it calls for policies that establish minimum standards of guarantee alongside mechanisms for needs-based support. On this basis, inclusive education can become a guiding principle of the education system. The subsequent discussion further elaborates the implications of this framework for comparative analysis and policy recommendations.

6. Discussion

This section clarifies the theoretical contributions of the study and its implications for policy reform. A comparative perspective suggests that Vietnam shares many characteristics with middle-income countries, where inclusive education is often promoted under conditions of limited resources and ongoing educational reform. In contrast, in high-income countries, inclusive education is treated as a foundational organizing principle of the entire system. This approach is supported by clearly defined legal obligations, stable financing mechanisms, and multi-layered professional support within schools, enabling a transition from mere "admission" to ensuring meaningful participation and learning progress.

In low- and middle-income countries, inclusive education is often initially expanded through policy commitments and targeted programs. As a result, implementation tends to be uneven across localities and levels of education. In Vietnam, the language of "rights" has become increasingly prominent in legal and policy frameworks. However, implementation in practice still depends significantly on welfare-based approaches. This tension contributes to fragmentation in service provision and reduces the level of system-wide integration.

From an academic perspective, the study highlights the importance of normative analysis in inclusive education research. Policy is not merely a technical instrument, but also reflects underlying assumptions about human beings, equality, and social justice. When these assumptions are made explicit, it becomes possible to explain why a policy system may contain conflicting objectives and instruments. On this basis, the article proposes an integrated framework that connects welfare, rights, and social justice, while linking resource distribution with the goal of achieving substantive equality in educational outcomes.

Based on the findings, several policy implications can be drawn for Vietnam. First, inclusive education should be operationalized as an enforceable right.

Legal provisions need to be translated into measurable standards regarding access, reasonable accommodation, and learning support. Second, accountability across different levels of governance must be clarified. Monitoring mechanisms should focus on participation and learning progress, rather than solely on enrollment indicators. These changes would help reduce the gap between policy commitments and implementation in practice.

Teacher capacity constitutes a foundational condition for the quality of inclusive education. Initial teacher education should place greater emphasis on inclusive pedagogy, assessment for learning, and classroom adaptation. Continuous professional development must be ongoing and practice-oriented, while schools should have access to specialized professional support. Without these conditions, inclusion risks remaining superficial, even when students with disabilities are formally admitted into mainstream classrooms.

Finally, progress in inclusive education cannot rely primarily on expanding access. Sustainable advancement requires a shift in the normative positioning of policy. A rights-based approach must be embedded in institutional design, financing mechanisms, and accountability structures. This alignment is essential to ensuring substantive equality for learners with disabilities.

7. Conclusion

The findings of this study indicate that inclusive education policy in Vietnam operates within an overlapping framework of welfare-based and rights-based approaches. This coexistence creates misalignments in policy design and weakens accountability mechanisms. At the level of implementation, the gap between policy commitments and practice is reflected in limitations related to enabling conditions, the capacity of personnel, and mechanisms for individualized support. In terms of contribution, the study clarifies the significance of positioning inclusive education as an enforceable right, rather than merely a support policy targeted at specific groups. The integrated analytical framework proposed in this article connects three dimensions: the requirement of resource distribution based on principles of justice; the need for reasonable accommodation to achieve substantive equality; and the demand for accountability in the realization of rights. Based on this framework, the article suggests that policy reform should shift its focus toward measurable minimum standards, intersectoral coordination mechanisms, and evidence-based monitoring systems. Monitoring should prioritize learners' participation and learning progress, rather than focusing solely on access or enrollment rates.

As the study primarily relies on normative analysis and policy document analysis, it does not quantify the impact of specific interventions. This limitation also points to an important direction for future research, which should further investigate and empirically assess the effectiveness of inclusive education policies and practices.

References:

Alfredsson, G., & Eide, A. (Eds.). (2023). *The Universal Declaration of Human Rights: a common standard of achievement*. Martinus Nijhoff Publishers.

Bajmócy, Z., Mihók, B., & Gébert, J. (2022). Furthering social justice for disabled people. A framework based on amartya sen's capability approach. *Studia Universitatis Babes-Bolyai Sociologia*, *67*(1), 69-84. https://www.ceeol.com/search/article-detail?id=1059053

Baş, G. (2022). Factors Influencing Teacher Efficacy in Inclusive Education. *Australasian Journal of Special & Inclusive Education*, *46*(1). https://doi.org/10.1017/jsi.2021.22

Biermann, J. (2022). *Translating human rights in education: The influence of Article 24 UN CRPD in Nigeria and Germany*. University of Michigan Press.

Brittle, R. (2023). A rights-based policy approach to realising education rights in the context of international migration. In *Research Handbook on Migration and Education* (pp. 449-464). Edward Elgar Publishing. https://doi.org/10.4337/9781839106361.00040

Byrne, B. (2022). How inclusive is the right to inclusive education? An assessment of the UN convention on the rights of persons with disabilities' concluding observations. *International Journal of Inclusive Education*, *26*(3), 301-318. https://doi.org/10.1080/13603116.2019.1651411

Esengulova, M., Dzhaparova, Z., Asanbaeva, B., & Turdubaeva, B. (2025). Results of the pedagogical experiment on the development of inclusive competence of teachers of general education organisations. *Social Sciences & Humanities Open*, *12*, 101897. https://doi.org/10.1016/j.ssaho.2025.101897

Fazio, G., & Taraborrelli, A. (2023). "I am not a Post-Marxist: I am a Neo-Marxist": Interview with Nancy Fraser. *Rivista Italiana di Filosofia Politica*, (4), 99-122. https://www.torrossa.com/en/resources/an/5571484#page=100

Forstner, M. (2022). Conceptual models of disability: The development of the consideration of non-biomedical aspects. *Disabilities*, *2*(3), 540-563. https://doi.org/10.3390/disabilities2030039

Fraser, N. (2008). Social justice in the age of identity politics: Redistribution, recognition, and participation. In *Geographic thought* (pp. 72-89). Routledge. https://doi.org/10.4324/9780203893074

Goldiner, A. (2022). Understanding "disability" as a cluster of disability models. *The Journal of Philosophy of Disability*, *2*, 28-54. https://doi.org/10.5840/jpd20224411

Guo, Y., Xie, H., Ding, L., Shi, Y., & Han, P. (2024). Effects of a 'Rebuilding Myself'intervention on enhancing the adaptability of cancer patients to return to work: a randomized controlled trial. *BMC cancer*, *24*(1), 581. https://doi.org/10.1186/s12885-024-12305-7

Idoko, B. O., & Okeke, E. K. (2025). Moral Defense of John Rawls Theory of Justice as Fairness. *Trinitarian: International Journal Of Arts And Humanities*, *1*(1). https://www.journals.ezenwaohaetorc.org/index.php/TIJAH/article/view/3124

Islam, M. K. (2022). Education through human rights as an innovative right-based pedagogical approach to promote quality education: A case study in Bangladesh. *Teacher's World: Journal of Education and Research*, 131-145. https://doi.org/10.3329/twjer.v48i1.67543

Jamil, S. (2024). Amartya Sen, Martha Nussbaum, and the Capability Approach. *Al-Hikmat: A Journal of Philosophy*, *44*, 73-87. https://pu.edu.pk/images/journal/phill/pdf_files/5_v44_24.pdf

Johnsson, C. (2025). Inclusive Human Rights Education. In *Discourses of Human Rights Education* (pp. 15-35). Cham: Springer Nature Switzerland. https://doi.org/10.1007/978-3-031-88615-7_2

Kakos, M. (2025). Developing a holistic, rights-based model for the educational inclusion of migrant and refugee students. *Intercultural Education*, *36*(2), 127-142. https://doi.org/10.1080/14675986.2024.2349473

Khamzina, K., Stanczak, A., Brasselet, C., Desombre, C., Legrain, C., Rossi, S., ... & Cilia, F. (2024). Designing effective pre-service teacher training in inclusive education: A narrative review of the effects of duration and content delivery mode on teachers' attitudes toward inclusive education. *Educational Psychology Review*, *36*(1), 13. https://doi.org/10.1007/s10648-024-09851-8

Lombard-Vance, R., Soye, E., Ferri, D., McEvoy, E., MacLachlan, M., & Sarlio-Siintola, S. (2023). Applying the 'human rights model of disability'to informed consent: Experiences and reflections from the SHAPES project. *Disabilities*, *3*(1), 28-47. https://doi.org/10.3390/disabilities3010003

Maurya, S. K. (2026). Toward a Just Society: Indicators for the Future. In *Exploring Justice as a Social Indicator of Life: Philosophical Foundations and Empirical Approaches* (pp. 195-220). Cham: Springer Nature Switzerland. https://doi.org/10.1007/978-3-032-10812-8_8

Mercan Küçükakın, P., & Gökmenoğlu, T. (2025). Fraser's social justice theory revisited: experiences of Turkish immigrant children in Northern Cyprus from the parental perspective. *Education 3-13*, *53*(3), 340-352. https://doi.org/10.1080/03004279.2023.2186186

Molchanova, E. (2025). From Policy to Practice: Comparative Analysis of Inclusive Education Strategies in EU Universities. *Public Administration and Law Review*, (3 (23)), 28-40. https://doi.org/10.36690/2674-5216-2025-3-28-40

Mosala, M., & Sefotho, M. M. (2025). Examining teachers' responsibilities and rights in implementing inclusive education within the legal framework. *International journal of special education*, *40*(1), 106-117. https://www.internationalsped.com/ijse/article/view/1990

Murnaghan, S., Scruton, S., & Urquhart, R. (2024). Psychosocial interventions that target adult cancer survivors' reintegration into daily life after active cancer treatment: A scoping review. *JBI Evidence Synthesis*, *22*(4), 607-656. https://osf.io/r6bmx

Nielsen, K. S., Cologna, V., Bauer, J. M., Berger, S., Brick, C., Dietz, T., ... & Wolske, K. S. (2024). Realizing the full potential of behavioural science for climate change mitigation. *Nature Climate Change*, *14*(4), 322-330. https://www.nature.com/articles/s41558-024-01951-1

Njelesani, J., Mlambo, V., Denekew, T., & Hunleth, J. (2022). Inclusion of children with disabilities in qualitative health research: A scoping review. *PloS one*, *17*(9), e0273784. https://doi.org/10.1371/journal.pone.0273784

Ruškus, J. (2023). The Human Rights Model for Children with Disabilities. In The Routledge International Handbook of Children's Rights and Disability (pp. 17-35). Routledge. https://doi.org/10.4324/9781003056737

Salah, M., Al Halbusi, H., & Abdelfattah, F. (2023). May the force of text data analysis be with you: Unleashing the power of generative AI for social psychology research. *Computers in Human Behavior: Artificial Humans*, *1*(2), 100006. https://doi.org/10.1016/j.chbah.2023.100006

Sata, S. K. (2025). An Advanced Exploration of the Legal Framework of Education: Analyzing Policies, Rights, and Responsibilities in Promoting Equitable and Sustainable Educational Systems. *World Journal of Arts, Education and Literature*, *2*(7), 6-16. https://wasrpublication.com/index.php/wjael/article/view/198

Sedova, P. (2024). Human rights model of disability. In *The Palgrave encyclopedia of disability* (pp. 1-9). Cham: Springer Nature Switzerland. https://doi.org/10.1007/978-3-031-40858-8_79-1

Shafik, W. (2025). Identifying barriers to people with disabilities and the marginalized inclusion. In *Global Sustainable Transition with Inclusion: A Focus on the People with Disabilities and the Marginalized* (pp. 135-158). Singapore: Springer Nature Singapore. https://doi.org/10.1007/978-981-96-6557-0_5

Sharma, A. (2024). Socio-cultural challenges faced by people with physical disabilities. *Shahid Kirti Multidisciplinary Journal*, *2*(2), 81-90. https://doi.org/10.3126/skmj.v2i2.62504

Thi Thao, D., Xuan Hai, N. ., Thanh Long, P. ., Quang Uan, N. ., & The Hop, B. . (2024). Applying universal design for learning (udl) in the implementation and deployment of inclusive education policies in Vietnam – current situation and solutions. *Journal of Science Educational Science*, *69*(5A), 3-14. https://doi.org/10.18173/2354-1075.2024-0075a

Triyudiana, A., & Neneng, P. (2024). Penerapan prinsip keadilan sebagai fairness menurut John Rawls di Indonesia sebagai perwujudan dari Pancasila. *Das Sollen: Jurnal Kajian Kontemporer Hukum Dan Masyarakat*, *2*(01). https://journal.forikami.com/index.php/dassollen/article/view/528

Tổng cục Thống kê (2024), *Thông cáo báo chí về kết quả điều tra người khuyết tật năm 2023*, truy cập tại: đường dẫn

Wasito, A., & Wasito, A. (2023). Exploring Amartya Sen's capability approach: Insights from climate change adaptation in Indonesia. *Peradaban Journal of Economic and Business*, *2*(2), 115-136. https://doi.org/10.59001/pjeb.v2i2.109

Xuan Hai, N., Minh Hien, B., Thi Thu Hang, N., & Thi Thuy Hang, L. (2025). Inclusive education policyfor persons with disabilityin Vietnam. *Journal of Science Educational Science*, *70*(2), 140-152. https://doi.org/10.18173/2354-1075.2025-0044

Yeşilkaya, N. (2022). John Rawls' Justice As Fairness: A Political Conception. *Darulhadis İslami Araştırmalar Dergisi*, (3), 318-339. https://dergipark.org.tr/en/pub/darulhadisdergisi