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GOVERNMENT POLICY ON INCLUSIVE EDUCATION: A REVIEW AND **ANALYSIS**

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Abstract

This article examines the Indonesian government's policies on inclusive education, exploring their philosophical, normative-religious, empirical, and juridical foundations. A literature review method is employed to analyze Law No. 20 of 2003 on the National Education System, Law No. 8 of 2016 on Persons with Disabilities, and Ministerial Regulation No. 70 of 2009 on Inclusive Education. The findings reveal that despite the existence of a legal framework, the implementation of inclusive education often faces challenges. such as limited resources, insufficient readiness of educators, and social stigma. This article highlights the importance of shifting societal paradigms toward embracing diversity and strengthening teacher capacity through training. By adopting integrated policies and collaborative approaches, inclusive education can foster a more equitable and diversity-appreciating society. The analysis also underscores the necessity of continuous policy evaluation to ensure the achievement of inclusive education goals in line with social justice principles.

Keywords: analysis, policy, inclusive education

1. INTRODUCTION

Education has an important role in improving the progress of the nation. Education aims to prepare humans and society to have the ability to understand, appreciate, practice and continuously develop cultural values, identity and national character of Indonesia. Education is also a right for every individual, meaning that education does not look at differences in terms of race, ethnicity, religion or physicality. In Indonesia, the right to education is contained in Law Number 20 of 2003 concerning the National Education System, Article 5 paragraphs 1 to 4 which affirms that: 1) Every citizen has the same right to obtain quality education; 2) Citizens who have physical, social, and emotional limitations are also entitled to special education; 3) Citizens in remote or underdeveloped areas and remote indigenous peoples have the right to receive special service education; 4) Citizens who have intelligence potential.

The presentation of a policy on the implementation of inclusive education basically wants to guarantee that every individual can get equal opportunities and access in developing their potential. One of the inclusive education services, namely students with special needs can participate in regular classes. This shows that regular schools can accept all students regardless of their background. The purpose of inclusive education is to teach students to be able to appreciate and appreciate others, to be able to realize that they are part of the wider community, to be able to appreciate different perspectives,

and to be able to accept assignments in society and their social environment. The implementation of inclusive education requires schools to make adjustments both in terms of curriculum, educational facilities and infrastructure, as well as learning systems that are tailored to the individual needs of students. (Thakur and Abbas, 2017)

METHOD

The method used in this study is the literature method or commonly called *library research*, which is collecting information or supporting materials about a certain topic of discussion, as the analysis of government policies on inclusive education seeks to collect research data related to the study. The process of collecting policy review references is the first step in the data analysis process. These references are then analyzed to find information relevant to the analysis of inclusive education policies in Indonesia. The literature method relies on written sources as the main data including books, journals, articles and various other publications. All of them aim to excavate, analyze and synthesize information from various literatures. (Saloviita, 2020) (Nikula, et.al 2021)

RESULTS AND DISCUSSION

Analysis of Public Policy

Policy, program and/or project concepts are often heard interchangeably. Apart from the understanding of these concepts, they are related to each other, but they basically have different definitions. As is known that policies, programs and or projects designed by the government through the system under it aim to ensure the sustainability of the lives of most people by utilizing state resources. According to Obikeze and Anthony (2004), policy is a principle to realize organizational goals. Policies will assist management in formulating plans and the linkages between objectives, organizational functions, supporting factors, and personnel. A good policy should have a written document so that it can be seen and understood by everyone. Because if a policy is not written, it can cause misperceptions and interpretations. (Suriansyah, 2020) (Suriansyah, 2023)

In order for a policy to be effective and successful, the following characteristics are needed, namely based on organizational objectives, specific and clear, in accordance with ethical standards, stable and flexible, and comprehensive. While the term program on the other hand has a narrower meaning than policy. A policy is a general set of work references and a program is developed/used to achieve the policy objectives. Programs are an inseparable component of policies and in order to achieve social policies on education and other aspects, a number of community-based activities/projects are set by the government in order to achieve policy and program goals. As an example of a comprehensive education program or an inclusive education program, the government

will involve special tasks such as opening up wider employment opportunities for education personnel, providing training and education, building facilities as a basic operational foundation, providing reading materials and implementation guidelines and so on. A policy will automatically be ineffective if there is a poor correlation between the program and its project activities which are the details of the objectives in a small expected and measurable unit. (Cinantya Et. to 2024) (Purwanti Et. to 2024) (Suriansyah Et. as of 2021) (Safariani Et. to 2023)

The implementation of public policy refers to the process of giving practical effects of policies that have been adopted by the appropriate administrative personnel. According to Eminue (2009), the implementation of public policies is a process to change various *Input* Human and material materials, including information, technical, individual, demand and support into outputs in the form of goods and services. In the implementation of public policy or known as execution, various decisions and decision-making actions are aimed at turning the mandate that has been set into a realization. The implementation process involves the presence of (Cinantya et al. , 2019) (et al. , 2020) Output from public policy, such as funding or services provided. Effective Amelia implementation of public policies requires clarity, institutional capabilities of implementing organizations, identification of appropriate target groups, and the environment in which the policy will be implemented. Without paying attention to these important factors, policies can risk facing serious implementation challenges. This challenge is manifested mainly in the failure of public policy. Cinantya et al., 2020) Aslamiah

Failure is the inability to achieve a set goal. A person is said to have failed when he or she is unable to meet the expected standards or assessment indicators that have been proclaimed. Therefore, public policies are said to fail according to Andrews (2018) if the projected products are not implemented through an efficient process and policies do not solve problems that trigger negative development outcomes. Public policies and programs are usually equipped with standard operating procedures (SOPs) that have been set. A process is usually set based on planning on finances, record-keeping, accuracy/deadlines and so on. A policy is considered a failure in this perspective when procedural standards are not followed and the results are not recorded for evaluation. Policies or programs that fail ineffective planning and control tests will result in inefficiency and waste of human resources, time, money and materials. (Monica et al., 2017)

On the other hand, public policy is also considered a failure when a procedure has been met but fails to achieve the desired result or raises more problems and requires the expenditure of further resources/interventions to address them. In Indonesia, most public policies/programs are considered failures based on one of the perspectives of public policy failure. These policies do not deliver results that are in line with the target. Most of those policies ultimately create more confusion for subsequent

governments as a result of the unintended outcomes of their programs. The main approach in the public policy typology is on the background, operational processes and issues of the policy concerned. Public policy can be distributive, regulative, and redistributive. In other forms, it can be in the form of extractive policies and symbolic policies. (Hart *et al.*, 2021) (Mu'is, et. al 2022)

Distributive policies are related to tariffs or taxes, public land, allocation of public facilities, and so on. This kind of policy requires additional distribution or allocation in units per unit to various sectors of the economy as well as individuals and institutions. The allocation of these benefits is done continuously and is based on impartiality and fairness so that everyone has a good expectation of receiving a fair share. Therefore, there is little or even none at all. Some of the policies that can be classified in this type in Indonesia are the federal quota/character system, laws on marginal education, laws on vulnerable groups and the like. The groups whose resources are taken are usually opposed to the policy, while the group that intends to profit praises the policy. Regulatory policy involves setting standards and rules to limit the activities of some groups in society to prevent the unintended consequences of their actions or inaction. (Choiriyah, 2022) (Judgment Et. as of 2022)

This policy is intended to control the activities of various groups in society. As with redistributive policies, tensions and conflicts arise because those whose behavior is regulated/reduced usually oppose the law/framework, while those who see the activities of the banned / controlled group as a threat, celebrate the regulation as an example of the presence of the National Narcotics Agency (BNN). Extractive policies are created to extract resources such as money, goods and services, people from the domestic and international environment. If you only see policies as distributive/redistributive policies and regulations are very limited. The government exists to create opportunities for the production of goods and services to offer solutions to various problems faced by society. These policies aim to increase the capacity/ability of institutions and individuals to be efficient in national development performance. (Ulfiani et al., 2020)

Job creation, skills enhancement programs, and agricultural and economic empowerment programs are included in this type of policy. Symbolic policies are created to promote certain behaviors or actions. This is done in the form of giving awards to show a certain attitude. As the name suggests, this policy has a symbolic purpose. It is an encouragement for citizens to behave as they wish and often to build a sense of community and common identity or to celebrate exemplary character. Apart from the above types of policies, the division of other types of policies is also classified into 3 forms, including public policies that act to overcome social problems. Social policies that focus on improving social welfare and domestic policies that concern national problems within the borders of certain countries. (São Paulo, 2018)

Inclusive Education in Public Policy in Indonesia

Inclusive education is a philosophy that states that the scope of the education sector and society is incomplete and comprehensive without the presence, participation and participation of students with all needs. Inclusion is a paradigm of thinking about understanding to give equal opportunities to all students, including to be able to learn in the same classroom and school. The issue of inclusive education becomes a political discussion which is then outlined in policies where the government is obliged to provide services, accessibility, convenience and ensure the implementation of quality education in educational units of various types, pathways and levels in an inclusive manner according to their individual needs and abilities. (Rachman, 2020)

The practice of inclusive education in the world has become an international agenda and agreement, one of which is through *the sustainable development goals* (SDGs) which signal the message that all educational institutions, including students with special needs/persons with disabilities/disabilities, are fulfilled with social rights and quality education and can attend school in all regular education units. In Indonesia itself, the practice of inclusive education has developed since 2003 and until now there are more than 36,000 educational units implementing inclusive education. The success of inclusive education will be achieved if environmental factors that have been barriers to learning for students can be adjusted to their special needs. In order to help each educational unit in managing and organizing inclusive education, it is necessary to have a legal umbrella that oversees the implementation, implementation and realization of programs through targeted activities and projects so that they can achieve the goal of equity/implementation of inclusive education. (Umurohmi Et. to 2024)

Inclusive education policy refers to the applicable laws and regulations in Indonesia. Article 28H paragraph (2) of the 1945 Constitution states that everyone has the right to convenience and special treatment to obtain equal opportunities and benefits to achieve equality and justice. In order to fulfill this mandate, the government has issued a policy on inclusive education for students with special needs as regulated in Law Number 20 of 2003 concerning the National Education System, Chapter IV Article 5 paragraphs 2, 3 and 4 of Article 32 which states that special education is education for students with disabilities (physical, emotional, mental, intellectual and/or social) or students who have extraordinary intelligence that is held inclusively, both at the primary and intermediate levels. (Nabiullina, 2015)

Meanwhile, Law Number 8 of 2016 concerning Persons with Disabilities Article 10 states that students with special needs have the right to receive quality educational services in all types, paths and levels of education. The Regulation of the Minister of National Education (Permendiknas) Number 70 of 2009 concerning Inclusive Education for students who have abnormalities and/or potential intelligence or special talents have the right to participate in inclusive education in certain educational

units according to their needs and abilities. Through the three laws and regulations and regulations of the Minister of National Education above, it can contain the analysis and interpretation as follows. First, when referring to Law No. 20 of 2003 concerning the National Education System, it can be understood that the education system described in Article 5 paragraphs 2, 3 and 4 and Article 32, the implementation of education is divided into two systems, namely special education or known by other terms segregative education and regular or general education. (Muhimmah *et al.*, 2022)

Students with indications of obstacles or abnormalities can be placed in separate school institutions (special schools) based on their specific needs. For example, individuals with deaf, blind, dual-blind, autistic and others can be classified as special schools (SLB) based on their naming SLB A, B, C, D, E, F and G. Based on a review of the philosophical, normative-religious, empirical and juridical foundation aspects of the latest juridical developments, this policy is certainly still not in line with the basic principles above. The philosophical foundation is the basis and principle understood in the concept of inclusive philosophy itself which means gathering, encompassing, accepting, welcoming and respecting diversity, especially in the context of the presence of students with special needs in regular/public schools. The philosophical foundation is a reference for a framework of thinking that is in line with the philosophical characteristics of the Indonesian nation in Bhinneka Tunggal Ika. Different but still one. This philosophy has a deep meaning about how life and social harmony in Indonesia are very plural, multicultural and plural. (São Paulo and Hidayat, 2022)

This community is present in the life of the Indonesian nation by bringing the peculiarities/characteristics of each culture. So that by realizing and understanding that differences are a necessity, we should be able to position that there is no uniformity in every individual. The diversity of society is a reality and phenomenon faced in daily life. No two individuals are the same and every individual cannot be generalized. In the context of learners in schools, no two individuals are the same. Each of the students has a diversity of talents, interests and potentials that they bring. Students have typical pluralistic intelligence and this is important for educators in schools to understand. This pluralistic intelligence is in line with the concept of Howard Gardner's theory in his writings *Theory of Mind.* That students have diversity that cannot be beaten evenly. The fundamentals on the principles of developmental psychology also state that each individual has a different pace and tempo to reach his or her maturity. (Bernadine, et al. 2024)

As the philosophical foundation above, if it is used as a lens to look into the inner self of every student in school, then of course there will be no homogeneous students. All bring and have their own diversity, uniqueness, potentials and weaknesses. Differences about the uniqueness of each individual understood by each teacher can change negative perceptions and stigmas towards students with special needs. Next, on the normative-religious foundation which refers to the basic frame of mind from the

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point of view of each religion, as in Islam refers to the source/guideline of the Qur'an in one of the Q.S. Abasa verses 1-5 contain the interpretation and meaning of high morality to respect every human being regardless of the conditions experienced. The message in the verse can be interpreted not to discriminate against the context of persons with disabilities who are visually impaired persons who are a group with disabilities similar to students with special needs. (Adina Et. to 2023)

The term 'rejection' described in the verse is a form of symbolic-context-sour discrimination, and when compared to the current phenomenon of rejection such as restriction, discrimination and not giving opportunities to students with special needs to access various schools close to where they live, it is the same as ignoring the moral message contained in the religious normative reference in Islam itself. Religion does not place the position of minority groups as charitable objects/asylums, but religion supports the fulfillment of the inherent rights of each individual in order to maintain the continuity of life (*Maqashid Syariah*). The juridical empirical foundation is the basis related to the pact that is the reference for the ratification of the implementation of inclusive education. The basis of the agreement begins through various conventions held internationally. As agreed on (Wijaya, 2022) *Education for All* (Education for All) and become a jargon for the implementation of education for every individual and no student is left behind in obtaining this opportunity. Then there was a conference in Bukit Tinggi on the implementation of inclusive education until it was contained in the latest juridical basis on Law No. 8 of 2016.

Before the existence of the most relevant law on regulations related to persons with disabilities by regulating various rights in it, there was a regulation of the Minister of National Education (Permendiknas) Number 70 of 2009 concerning Inclusive Education which stipulated that students with special needs could be placed in schools according to their abilities. Although this regulation is preferential, it basically does not provide a progressive political effort towards the equitable implementation of inclusive education in Indonesia as laid down in Law No. 8 of 2016. This regulation can provide an option to choose which school can be attended by students with special needs. So that in its implementation, there are students with special needs who attend regular schools but still adopt segregated learning such as examples of patterns (Jannah *et al.*, 2021) *pull in, pull out, mainstreaming* and the like. When viewed from a broader cultural context, the policy umbrella in Law No. 8 of 2016 is not only political but also progressive towards the development of an inclusive society by starting with the messo sector such as the scope of education.

Referring to the benefits of the implementation of inclusive education on the psychological development of students, it has been proven by the results of research on the positive impact of the implementation of inclusive education. In Australia and other European countries, inclusion has become an inherent and manifested culture in every institutional sector, not only in terms of spatial planning,

buildings and cities, but in almost all educational institutions. A society that understands perspectives and discourses about plurality, difference, multiculturalism and inclusiveness will easily perceive students with special needs as individuals with various uniqueness. How the ideology and concept of humanism about humanizing humans cannot be sorted based on the conditions they experience. There is no discrimination in the treatment between 'normal' and 'abnormal' students, because the construction of 'disability' is not built on the basis of individual factors alone, but also sociological/social environmental factors. This perception is perhaps still not present in Indonesian society. Because talking about the foundation, the interpretation of the legislation on disability and how to show a response or attitude, will not be better if it does not start with a paradigm change. (Rahmi , 2022) *Mindset* in perceiving people with disabilities/individuals with special needs in society. (Syamsurrijal , 2021)

So that the latest policy in Law No. 8 of 2016 which is a reference in the implementation of various welfare and equality programs for persons with disabilities can be reviewed in several programs/projects and activities that can be carried out in the messo (middle) sector such as socialization of the implementation of inclusive education, improvement of special competencies of school teachers, collaboration in assisting parents of individuals with special needs with partners, The role and involvement of an inclusive community and technical guidelines in the preparation of adaptive curriculum and other learning components in schools can still be a priority for the government. The policies included in this distributive scheme certainly provide a breath of fresh air for minority groups and the relationships inherent around them (Courtesy Stigma). The existence of those who have been marginalized is supported so that they can be recognized and appreciated. Although it has a positive impact on groups and families of people with disabilities, it is not uncommon for opposing opinions to be met in this case. Such as the problem of bullying that occurs in participants with special needs in inclusion schools, the reluctance of parents who do not want to join other students with special needs, concerns about the declining image/reputation of the school, to various technical challenges that arise behind and require schools to adapt in various components. (Nisa, 2021) (Nisa Wati, 2022)

This consideration then makes schools go back and forth in making decisions to organize inclusive education. Waiting for technical readiness and operational efficiency, of course, not all schools will be able to plan and implement in a short time. The need for continuous technical guidance or planning that begins with the technical aspects of implementation and the completeness of implementation guidelines can help the school's readiness to improve. In contrast to what was conveyed by the Loreman Team in (Nisa Et. to 2024) Seven Pillars of Inclusion mentioned that inclusive education does not necessarily start from the technical urgency that has been problematic for many parties in schools. But it is more about the first pillar/foundation about Shifting paradigm paradigm

change for students with special needs. As in Thomas Kuhn's philosophy of *Shifting paradigm* that this change in mindset will not occur if the individual is not familiar / close to the issue of disability / inclusivity. Because the mindset will greatly determine the actions shown. The importance of changing the mindset of participants with special needs can be done through various socialization and education in the community. One of the most relevant at this time is the university's efforts to include inclusive education courses in various study programs, especially the faculty of teacher training. (Nisa et al., 2023)

CONCLUSIONS AND RECOMMENDATIONS

Policies related to the implementation of inclusive education in Indonesia still refer to different legal foundations. In the 2003 National Education System Law, it is stated that the education system is divided into two patterns, namely special education and regular education. Where the allocation of each system is based on the criteria of students with special needs (PDBK) and those without special needs. When referring to Law no. 08 of 2016 concerning persons with disabilities, of course it is different in context, but overall it discusses the right to accessibility and equal opportunities for every person with disabilities/individuals with special needs. Of course, if you look at the more progressive political efforts under the umbrella of law no. 12 of 2016, because the implementation of inclusive education will be achieved if every individual understands his rights and obligations as a fellow citizen and from Law No. 8 of 2016 concerning Persons with Disabilities, Law No. 20 of 2003 concerning the National Education System, and Permendiknas No. 70 of 2009 concerning Inclusive Education. The three regulations complement each other in creating a framework that supports inclusive education in Indonesia. They set a strong foundation for ensuring that education is accessible to all, respects diversity, and encourages a more inclusive society. With effective implementation, it is hoped that the goals of inclusive education can be achieved, providing benefits to individuals and society as a whole.

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