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The inclusion of democratic values in the education law of nine different countries

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**The inclusion of democratic values in
the education law of nine different countries**

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The Welfare State in International Perspective

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Abstract

Education is one of the most important determinants of an individual livelihood. Not only does education contribute to the development of a nation, but it also fosters democracy through the teachings of democratic values in schools and exposure to the benefits of civic engagement. Furthermore, the education system of a country is reflective of its ideology and can serve as a tool for the government to shape the view of its citizens. Literature on the relationship between democracy on education is vast, but most are based on quantitative measures. Thus, this research conducts a qualitative study in analysing the effect of the level of democracy on the inclusion of democratic values in the fundamental education law of each country. Employing a diverse case selection, qualitative content analysis method, and a deductive coding frame, this thesis finds that the effect of democracy on democratic values in education law has varying effects. A clear division based on the level of democracy is visible for democratic goals in the education law, but is less visible regarding participation, freedom, and equality. The findings of this thesis contribute to narrowing the literature gap and allow further understanding of the impact of democracy on daily life and human development.

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Introduction

Education is one of the most important determinants of an individual livelihood (Idris et al., 2012). It affects an individual opportunity, economic status, prosperity, and health. Educated societies contribute to the country's economy and society, which would ultimately affect its development (Idris et al., 2012, p. 443). The pivotal role of education is amplified by the fact that the education system of a country reflects the ideology of the country and can also serve as a tool for the government to influence the view of its citizens (Cantoni et al., 2017, p. 385). In the case of a democratic regime, schools have been found to teach the value of democracy such as equality and freedom to individuals from a young age (Subba, 2014, p. 37). Education also exposes an individual to the benefits of civic engagement, which would raise support for democracy (Glaeser et al., 2007, p. 82).

Although the literature on the relationship between democracy on education is extensive, most of these studies are based on quantitative measures. For instance, through the measurement of education as literacy rate (Lake & Baum, 2001) and government spending (Pavlos, 2018). Meanwhile, limited research has been done to study the application of democratic values in education (Haraldstad et al., 2022, p. 74). Thus, this thesis will analyse the effect of democracy on education through a qualitative perspective. Nine countries are chosen based on a diverse case selection method on the level of democracy score, which helps to create the most representative results possible. Then, the fundamental education law of each country is analysed with a qualitative content analysis method using a coding frame. The coding frame is constructed based on the concept of democracy and also draws upon previous research and the Sustainable Development Goals (SDGs).

This thesis will first start with a literature review of the existing research on the effect of democracy on education. It is followed by the conceptualisation of the level of democracy and inclusion of democratic values in education law, as well as the theoretical framework to link the two variables. Then, the next section explains the research design and the countries included in the analysis and the data selection. Followingly, the coding frame is explained, and the analysis is presented after. Finally, a conclusion will close the thesis with a discussion of the results of the analysis followed by its implications, limitations, and suggestions for future research.

Literature review

The literature on the effect of democracy on education is vast. To begin with, many scholars analyse the relationship based on quantitative measures. Lake and Baum (2001), for instance, study the relationship between the level of democracy and education, with education being measured by literacy, student-teacher ratio, and proportion of age cohorts in school. Meanwhile, the level of democracy is measured based on the Polity III dataset, ranging from -10 (an autocratic regime) to +10 (a democratic regime). They also consider the Freedom House scale as an alternative indicator and find that there are no substantial differences (Lake & Baum, 2001, p. 605). The study concludes that a higher level of democracy leads to higher levels of education. Similarly, Deacon (2009) study the effect of political regime on the provision of public goods, on which school enrolment is included to measure education. Meanwhile, the political regime variable is measured by three methods: the Red Flags/Green Flags approach, data on government attributes to define standard political regimes, and the nation's Polity index (Deacon, 2009). The research finds that public goods are better provided in democracies than in dictatorships (Deacon, 2009). In a similar quantitative fashion, while also incorporating descriptive analysis, McGuire (2010) analyses the effects of democratization on the provision of public goods in 8 East Asian and Latin American countries. Education is included in the term "public goods", measured by various indicators such as literacy, school enrolment, and the percentage of the gross domestic product (GDP) devoted to education spending (McGuire, 2010). The study concludes that, indeed, democracy promotes higher provision of public goods, including education (McGuire, 2010, p. 278). This set of studies focuses on the effect of democracy on education in terms of quantity and coverage. These studies conclude that democracy does indeed promote a higher level of education, whether measured by literacy rate, student-teacher ratio, the proportion of age cohorts in school, school enrolment, and the percentage of GDP devoted to education spending.

Additionally, the theories on understanding the effect of democracy on education are vast. First, the selectorate theory proposes that the provision of public goods depends on the institutional setting of the government (Bueno de Mesquita et al., 2003, pp. 31, 147). With the assumption that politicians who are in office will attain incumbency, politicians need to respond to the constituencies that support them in office. These constituencies are referred to as the winning coalition which consists of voters who would elect the politicians to power. (Bueno de Mesquita et al., 2003, p. 10). In a democratic setting, the winning coalition is made up of voters who cast their votes in an open and free election. Meanwhile, in a non-democratic setting, the

winning coalition is made up of individuals who have control over powerful instruments in a country to keep the politicians in office (Bueno de Mesquita et al., 2003, p. 162). Thus, because politicians in a democratic setting are incentivised to respond to the demands of the constituents, it is expected that provision of public goods such as education would be higher. Additionally, Lake and Baum (2001) argue that political competition in democracies contributes to increases in public services such as education at the expense of rents extracted by politicians. Meanwhile, due to the lack of competitive elections in nondemocracies, politicians can extract more rents by providing fewer public services without the risk of repercussions (Lake & Baum, 2001, p. 618). Acemoglu and Robinson (2006) also theorise that in democracies where the poor are the majority and hold more political power, universal schooling would be pushed forward. This is due to the benefit provided to the middle class and poor through education expansion (Ansell, 2008, p. 314). Considering the quantitative studies presented previously, it can be inferred that democracy has a positive effect on education provision when measured based on various quantitative indicators. A causality between two variables can be drawn from the institutional setting of a democracy, especially the ability of citizens to cast their votes in an open and free election and to express their voices.

Though the studies mentioned above show that democracy does positively affect education quantity, limited research has been done on analysing the effect of democracy on education quality with some exceptions. For instance, Dahlum and Knutsen (2017) analyse the link between democracy and education quality. Democracy is measured by the Polity Index and education quality through scores of international students' tests. They find that there is no systematic relationship between democracy and education quality (Dahlum & Knutsen, 2017, p. 193). Additionally, they also add that there is a lack of empirical research on political regime types and education quality (Dahlum & Knutsen, 2017, p. 187). Haraldstad et al. (2022) take a different approach to analysing democracy and education quality, by looking at pupils' democratic practice in school. Using semi-structured interviews with pupils of Norwegian schools, they find that all three markers of democracy (contextual freedom, participation, and ability to practise democracy) are visible (Haraldstad et al., 2022, p. 84). Supporting Dahlum and Knutsen, Haraldstad et al. (2022) also argue that there is a lack of qualitative studies in analysing the effect of democracy on students' experiences in school. This is despite the fact that, though there is a large positive consensus on implementing democratic values in school, research on the effect of democracy in education often reflects desired aims than presenting the actual situations of the stakeholders in the education system (Haraldstad et al., 2022, p. 74).

Therefore, this thesis contributes to narrowing the gap in the literature by analysing the effect of democracy on education qualitatively, specifically through the inclusion of democratic values in education laws. Such inclusion would ensure and protect democratic values such as freedom, equality, and active participation in the education system. A qualitative study is needed due to the difficulty of quantitative methods to assess latent values. The research question is as follows: *What is the effect of the level of democracy on the inclusion of democratic values in the education law?* Answering this question allows further understanding of the impact of democracy on the education system qualitatively.

Conceptualisation and theoretical framework

Democracy and the level of democracy

The meaning of democracy has been widely discussed and debated. Amidst the various conceptualisation of democracy, Schumpeter (2010) and Dahl (1971) provide a standardised definition of democracy based on procedural definitions (Collier & Levitsky, 1997, p. 431). Schumpeter (2010) argues that democracy is a system where individuals elect representatives to act on their will in competitive elections. Meanwhile, Dahl (1971) argues that democracy is a system where the government is responsive to the citizens. Additionally, Dahl (1971) also provides institutions that serve the “responsiveness” aspect of his definition. These institutions are the right to vote, free and fair elections, and freedom of expression (Dahl, 1971, p. 3). Levitsky and Way (2002) also establish institutional criteria for democracy. This includes the election of the executive and legislative branches through open, free, and fair elections, possession of the right to vote for all adults, protection of political rights and civil liberties, and real authority to govern by elected officials (Levitsky & Way, 2002, p. 53). From these definitions, democracy is understood as a political system that responds to the people through institutions of free and fair elections and the protection of political rights and civil liberties.

To establish a stratification of democracy, this thesis draws upon several sources. First, a stratification of democracy can be drawn from Lijphart’s (1951) quality of democracy, which refers to how extensive is democracy performed. Lijphart (1991) argues that “quality” refers to “the degree to which a system meets such democratic norms as representativeness, accountability, equality, and participation” (p. 75). Additionally, Diamond and Morlino (2004) argue that a good democracy provides “citizens with ample freedom, political equality, and control over public policies and policymakers through legitimate and lawful functioning of

stable institutions” (p. 22). This means a good democracy would satisfy citizens’ expectations regarding governance, provide citizens with extensive liberty and political equality, and provide room for critiques of the government (Diamond & Morlino, 2004). Thus, the quality of democracy can be understood as the extent to which features of democracy such as freedom, accountability, equality, and participation, are performed. Second, Freedom House, as the selection criteria of the cases, has three categories of democracy based on the aggregate value of the civil liberties and political rights score of each country. These categories are “free”, “partly free”, and “not free”. Based on these categories, countries classified as “free” are comparatively more democratic than those classified as “partly free” or “not free”. Altogether, the level of democracy can be inferred as to a stratification in which countries with better implementation of democratic features in the country have higher democratic scores (in the category of “free”) while those that have a poorer implementation of democratic features have lower democratic scores (in the category of “partly free” or “not free”).

Education law and democratic values

Education provides knowledge and skills to an individual (Idris et al., 2012, p. 443). The United Nations Educational, Scientific, and Cultural Organization (UNESCO) stratifies education into multiple levels. This includes early childhood education, primary education, lower secondary education, upper secondary education, post-secondary non-tertiary education, short-cycle tertiary education, bachelor’s, master’s, and doctoral level (UNESCO, 2012, p. 21). Education can be provided through various forms and institutions. For instance, elementary school, vocational training, and university. Furthermore, education plays a fundamental role in shaping human development and subsequently the development of the state. Deficiency in the education system would inflict social problems such as illiteracy and a lack of a competitive labour market (Allmendinger & Leibfried, 2003, p. 63). Due to the necessity of education, governments create education policies that would govern the field. The state plays a role in the education domain by creating laws, regulations, directives, plans, guidelines, and curriculum, all of which determines the education system.

This thesis will specifically look into democratic values in the law. A wide discussion exists on what constitutes a democratic value and there exists no definitive answer (Anderson, 2022). At its core, a democratic regime means rule by the people. Citizens have authority over the government, making the government accountable to the citizens. This mechanism is realised

through various ways such as free and fair elections, availability of information, and mass organisations. Manifested in these processes are values such as participation, freedom, and equality, which will be the focus of this thesis. Each of the values has varying interpretations. In the context of this thesis, participation refers to the involvement of multiple stakeholders such as ministries, teachers, and parents to contribute to the education system. This captures the idea that the active engagement of citizens is needed for a government to be deemed democratically legitimate (Diamond & Morlino, 2004, p. 23). This also draws from the concept of choice in Wirt's et al. (1988) research, in which choice means the presence of options for actions and the ability to select a desired option. Being able to contribute to the education system is a realisation for citizens to exert their sovereignty, which is an important value of democracy (Wirt et al., 1988, p. 273).

Followingly, where Wirt et al. (1988) employ choice in the context of policy options, especially in granting district government options implementing education, this thesis broadens this to personal-level options. This builds the second value, freedom, understood as the ability to act or think without being constrained by others. Here, the notion of freedom and choice go hand in hand. One should be able to have the options and freely choose between the options. Thus, freedom captures the ability of students to freely choose in their education process. For this thesis, freedom is applied to two fundamental aspects of society, language and religion. Freedom of language guarantees an individual to express and deliver their thoughts, beliefs, and opinions through the medium of language so that it reaches the audience (Green, 1997, p. 215). This aspect of freedom focuses specifically on the choice of language as means of communication. Meanwhile, freedom of religion protects not only the religious opinions and ideas, but also its assemblies, ceremonies, and traditions (Olsen, 1999, p. 26). Finally, equality means the state of being equal, whether in status, rights, or opportunities. This refers to the notion of equality of opportunity in its basic form, which means everyone should have equal chances (Thomassen, 2007, pp. 426-427). This also follows the fourth SDG, particularly SDG 4.3 regarding equal access to education (UNESCO, n.d.). Thus, the state should ensure that access to education is equal for all, regardless of ethnicity, race, class, and religion.

Additionally, when these values are applied in the context of education, an overarching objective of the education system is to achieve democratic goals. Schools in a democratic country indoctrinates political participation, a crucial component of a democracy (Glaeser et al., 2007, p. 82). From this process of indoctrination, it suggests that the education system is

directed in a certain direction that reflects the ideology of the state. Therefore, although democratic goals are not considered as values like participation, freedom, and equality are, it is an overarching domain of democratic values that determines which direction is the education system heading. When education law and democratic values are taken together, it refers to the inclusion of democratic values in education law to foster democracy in schools and ultimately the nation.

Linking democracy and education

The theory to link the two variables begins with the consideration that education plays a role as a platform for states to instil values and knowledge in students (Keating, 2016, p. 2; Levin, 1987, p. 630). Indeed, democracies are significantly influenced by the level of education. Lipset (1959, p. 79) argues that individuals with higher levels of education are more likely to believe in democratic values and support democratic practices. This suggests that a population with higher education creates a stable ground for democracy to flourish. Contemporary theorists of democracy also agree on a consensus that the installation and consolidation of democracy are more conducive when a set of pro-democratic values is held at the individual level (Chunlong, 2004, p. 1). Yet, history shows that highly educated nations like Germany and France did not stabilise their democracies, which shows that education may also serve as a platform for other kinds of ideology (Lipset, 1959, p. 79). This is evident in a recent study by Cantoni et al. (2017) which analyse the new curriculum of China. The curriculum reform introduced in the early 2000s was a political tool to shape students' views on the Chinese government, democracy in China, and the role of the state in the economy. The survey conducted finds that the government did change students' fundamental view of society, including a more positive view of China's 'democratic' governance (Cantoni et al., 2017, p. 385). The findings of Cantoni et al. (2017) support the idea that, indeed, the state has a great influence on the education system and thereby on the views of the citizens.

From the lens of a democratic regime, engraving democratic values in students through education can create support for democracy and thereby the sustainability of a democratic regime (Subba, 2014, p. 37). Thus, depending on the ideology of the state, the education policies would be reflective of it. Governments with higher levels of democracy would, in theory, instil democratic values in their laws to secure regime sustainability. Indeed, as Glaeser et al. (2007) argue, education raises the benefits of civic participation and that indoctrination

about political participation is a major component of education. In particular, schools in democratic regimes teach their students that political participation is good (Glaeser et al., 2007, p. 82). Emphasis on preparing students for participation in democracy through school is stated in many countries' education policies, including the United States, Sweden, Costa Rica, and Indonesia (Glaeser et al., 2007, p. 82). Thus, this thesis expects that a higher level of democracy leads to more extensive democratic values in education laws.

Research design and case selection

This thesis will look into nine countries, selected based on the Freedom House democracy score and chosen with the diverse case selection technique of Gerring (2008). This selection method is intended to represent the full range of values of a certain variable (Gerring, 2008, p. 651). The wide range of variations on the independent variable contributes to the representativeness of the sample and therefore findings of this thesis. In this case, Freedom House (2023, p. 2) democracy score as the independent variable measures democracy through various individual categories such as the electoral process, freedom of belief and expression, rule of law, and political pluralism. The score of each category is then aggregated. The score ranges from 0 to 100, with 0 being consolidated authoritarian regimes and 100 being perfect democracy. To give a wide range of the independent variable, nine countries with varying democracy scores are selected to cover the spectrum.

The countries included in the sample are as follows (in alphabetical order): Cambodia, China, Finland, Indonesia, Japan, Malaysia, Namibia, South Africa, and Zimbabwe. To give an accurate illustration of the level of democracy, the countries are selected based on the democracy score they have when the law was first passed or when the law was last amended (if it has been amended). Furthermore, for ease of comparison in subsequent sections, these countries are equally divided among Freedom House's democracy score categories of "free", "partly free", and "not free". Finland, Japan, and South Africa are classified as "free", Namibia, Indonesia, and Malaysia as "partly free", and Cambodia, Zimbabwe, and China as "not free". This classification holds regardless of the year of the score. Table 1 shows the democracy score of the country in 2023 and in the year of the creation or the latest amendment of the law, ordered based on the democracy score.

Data selection and method of analysis

This thesis focuses on the education system of each country. Due to the wide-ranging scope of education policies, this thesis will look particularly at education laws or acts. More specifically, laws that act as a base for all other policies in the education governance of a state. These laws lay the groundwork for the education system such as funding, teacher qualifications, curriculum content, administrative structures, graduation requirements, and the values expected to be upheld in schools. In the hierarchy of laws, these laws are usually second to the constitution. They adhere to the constitution, while subsequent regulations and policies adhere to these laws. Therefore, analysing such education laws would provide an overview of the education system of a country. This thesis utilises the current education law in effect with the latest amendments. The official language of some of the countries is not in English, however, there are translated versions of the law provided by the ministry of justice of the country (Japan and Finland), UNESCO (Indonesia and Cambodia) or the Beijing municipality (China). The list of laws that will be included in the analysis is presented in Table 1.

Due to the focus on democratic values, which are considered latent content, this thesis employs the qualitative content analysis method. This method is particularly well for exploring meanings and values embedded within texts (Halperin & Heath, 2020, p. 386). Further, a coding frame is created with a recording unit of sentences. The categories and indicators in the coding frame are constructed based on existing literature and are used to identify whether certain values this thesis is interested in are present or not. The result of the coding process is then used to identify differences, similarities, and patterns that may explain the relationship between the variables in this thesis.

Table 1.*List of Laws and Democracy Score*

Country	Title of law	Year passed	Year last amended	Democracy score (2023)	Democracy score (year of law)
Finland	Basic Education Act	1998	2010	100	100 (2010)
Japan	Basic Act on Education	1947	2006	96	88 (2006)
South Africa	National Education Policy Act	1996	2011	79	83 (2011)
Namibia	Basic Education Act	2020		77	77 (2020)
Indonesia	National Education System Act	2003		58	58 (2003)
Malaysia	Education Reform Act	2007	2012	53	49 (2012)
Cambodia	Law on Education	2007		24	35 (2007)
Zimbabwe	Education Act	1987	2020	28	29 (2020)
China	Education Law	1995	2021	9	9 (2021)

Operationalisation

The coding frame has four categories, derived from the concept of democracy as well as the relationship between democracy and education. The first category is democracy as a goal of the education system. Following the argument presented by Glaeser et al. (2007, p. 82) regarding the indoctrination of political participation in education, this category captures whether the overall education system aims to create democratic citizens. Indicator of this category includes phrases with verbs such as “achieving” and “promoting” towards nouns such as “democratic citizen”, “state”, or “society”. It can also include the promotion of “human rights”, “equality”, and “toleration”, all of which are part of a democracy. The second category, participation, reflects the importance of citizens’ active participation for a regime to be regarded as democratically legitimate (Diamond & Morlino, 2004, p. 23). This category is indicated by mentions of “active participation”, “right to participate”, “right to assembly” or “right to association”. Other words such as “meeting” and “making decisions” that imply a form of participation are also considered indicators of this category.

The third category is freedom, understood as the ability to act or think without being constrained by others. This thesis particularly focuses on freedom of language and religion, which makes up the two sub-categories. The main indicators for these two sub-categories are similar, “right to language” or “right to religion”. More specific indicators that suggest the freedom of language include “language of instruction” and “ability to choose a language”. Meanwhile, freedom of religion includes “religious activities”, “religious tolerance”, and “practice religion”. The fourth and final category, equality, means the state of being equal, whether in status, rights, or opportunities. Indicators of this category include “equal opportunity”, “equal access”, “non-discrimination”, and “protection against discrimination” based on “sex”, “race”, “colour”, “religion”, and “status” that suggest equality in education. Table 2 provides a summary of the coding frame.

Table 2.*Coding Frame*

Category	Description	Subcategory	Indicators
Democratic goals	Democracy as a goal of the education system		Achieving democratic citizens, state, or society; promoting human rights, equality, and tolerance
Democratic participation	Active participation in education policymaking and education governance		Active participation; right to assembly or association
Freedom	Freedom to choose language and/or religion of choice and protection of such ability in a diverse environment	Language	Right to language; ability to choose the language of instruction
		Religion	Right to religion; ability to practise religion of choice; religious tolerance
Equality	Equality to education regardless of background		Equal education opportunities; education system open to all ethnicity, race, gender, or religion; non-discrimination

Table 3.*Summary of Results*

Country (score)	Democratic goals	Participation	Freedom		Equality
			Language	Religion	
Finland (100)	Education promotes equality in society	Pupil's parents shall make the decisions on the school subjects; students may have a student association	Ability to choose language between Finnish, Swedish, Saami, Roma, or sign language	Religious education based on the pupil's accordence	Equal selection criteria
Japan (88)	Education aims to form a peaceful and democratic state and society			Attitude of religious tolerance in education	Equal opportunities to receive education
South Africa (83)	Education system contributes to the advancement of democracy	Freedom of association; ensuring broad public participation	Every student to be instructed in the language of his or her choice	Every person to have the freedom of religion	Protection against discrimination; equal access
Namibia (77)	Education aims to develop a national democratic culture; protection of the development of a democratic culture	Learners are encouraged to participate in representative councils; ensure meaningful participation in school governance	Preference given to the mother tongue as language of instruction; every learner has the right to instructions in the language of choice	Right to practise any religion	Access to universal education; protection against discrimination; equal access
Indonesia (58)	Education to develop democratic and responsible citizens	The community has the right to participate		Receive religious education in accordance with his or her religion	Equal opportunity; non-discrimination; equal rights
Malaysia (49)	Education plays a role towards creating democratic society		The national language shall be the main language of instruction. If not, the national language shall be taught as a compulsory subject	Schools may provide religious teaching other than Islam	
Cambodia (35)		The right of learners, parents, and education personnel to participate; organise public education meeting	Language of instruction for minority students to be determined by the ministry	Learners in education shall not be forced to participate in any religious activities	Every citizen has the right to access education
Zimbabwe (29)		Associations of teachers may advise and make representations to the ministry	Endeavour to teach every officially recognised language		Protection against unfair discrimination in school admission
China (9)		Social organisations and individuals may support the development of schools and participate in their management	The standard Chinese language shall be the language of instruction; schools dominated by minority students may implement bilingual education		Equal opportunity for education

Results and analysis

The result of the coding process (see Appendix A) is summarised and presented in Table 3. The row of the countries is colour coded based on the Freedom House categories. Green refers to countries in the “free” category, orange in the “partly free” category, and purple in the “not free” category. The democracy score of the country on the year of the law (see Table 1) is also shown. Further, the colour of the cells is based on the content of the law. A coloured cell means that the indicators of the category is present in the data. Meanwhile, cells that have no colour mean that the data has no relevant findings for the corresponding category.

Democratic goals

Based on the democratic goals category, it is relatively clear that a distinction between lower democratic countries and those that are relatively higher exists. This distinction is even more apparent when one considers that these countries are part of the “not free” category of Freedom House. To begin with, countries in the category of “free” and “partially free” mention education to promote democratic culture, society, nation, or citizens. They mention keywords such as forming, creating, or contributing to a democratic state, democratic society, democratic culture, democratic citizens, or the advancement of democracy. Meanwhile, Finland, the country with the highest level of democracy does not have explicit mention but does state that education shall promote equality and equity, two important features of a democracy. On the other hand, the three countries categorised as “not free”, Zimbabwe, Cambodia, and China, do not mention democracy as a goal of education. Thus, the case of Zimbabwe, Cambodia, and China show a pattern where countries with higher levels of democracy do include democratic goals in their education law.

Participation

In the next category, participation, there is a lack of division when compared to the democratic goal category. This is proven when two countries, Japan and Malaysia, have no inclusion of participation in their law, even with their status as “free” and “partially free” democracies, respectively. This pose as a contrast when the three countries with the lowest democracy score do have the inclusion of participation in their law. For countries that do include participation in their law, participation takes various forms. First, there are countries that encourage participation in the education system through means of association, assembly, or organisation. This is true for Finland in article 47 where students are encouraged to make associations and

participate in matters relating to their studies, Namibia in article 16 where students are encouraged to participate through learners' representative councils, and South Africa in article 4 where the law ensures freedom of association. Two countries from the lowest democracy category also have this inclusion, Zimbabwe and Cambodia. Zimbabwe ensures teachers' participation in the education system through teacher associations that are recognised by the minister to advise and make representations on matters related to education in Zimbabwe. However, Cambodia is by far the most extensive on this front. The Law of Education encourages the participation and assembly of learners (article 35), participation of parents whether directly or indirectly through representatives (article 36), participation of education personnel in the development of education and organising public education meetings (article 37). Additionally, article 44 also ensures the rights of persons, religious groups, families, communities, national and international non-governmental organisations, and public and private institutions to fully participate in supporting and developing the education system.

On the other hand, there are countries that include participation in a more general interpretation. In other words, without the means of an association, organisation, or assembly. Finland and Namibia appear again in this regard. Article 30 of Finland's Basic Education Act involves a pupil's parent making decisions concerning the choice of subjects for the pupil. Meanwhile, Namibia's Basic Education Act ensures that parental, community, and learner participation is present in school governance. Indonesia has a stronger emphasis on community, where articles 4, 8, and 54 of the National Education Act ensure that the community participates in the education services (article 4), has the right to participate in the cycle of education programmes (article 8), and can participate as the source, executor, and consumer of education outcomes (article 54). Finally, China, in article 46 of the Education Law mentions that "enterprises, institutions, public organisations, and other social organisations and individuals may ... participate in management ...".

Freedom

In terms of freedom of language, there is also a lack of pattern, similar to that of the participation category. Most countries, regardless of the democracy score, have some kind of freedom of language included in their law. However, Japan as a "free" country and Indonesia as a "partly free" country have no inclusion of freedom of language. A more distinct division is clearer when the line is drawn on whether the country has a single or multiple official

languages. In the case of the former, Cambodia, China, and Malaysia state that the language of instruction shall be the national language, but also include clauses that provide room for other languages to take place in education, albeit with different extents. Chinese schools with local ethnicities have the possibility to implement bilingual education of the Chinese language and the local language as guaranteed in article 12. Malaysia's Education Act article 17.2 states that if the main language of instruction is not the national language, the national language should be taught as a compulsory subject in school, which suggests that other languages could be the language of instruction. Meanwhile, Cambodia's Law on Education article 24 mentions that the language of instruction for minority students shall be determined by the ministry in charge of education. The exception for this group of countries is Indonesia. With a single official language, the National Education System Act does not mention any possibilities of other languages of instruction. In the case that a country has multiple languages like Finland, South Africa, and Zimbabwe, the education acts protect students' right to the language of instruction. It is important to note, however, Finland has two official languages, Finnish and Swedish, and recognises some minority languages (Sami, Romani, sign language, and Karelian). Despite the majority of the population speaking Finnish, article 10.1 of the Basic Education Act ensures students' freedom of language in schools. This shows that in a highly democratic country like Finland, freedom of language for the minority is still protected.

In this sub-category, Japan and Namibia provide an interesting case. Each country is in a different democracy category (Japan is "free" and Namibia is "partly free") but they have one official language, Japanese and English, respectively. However, where an overwhelming number of Japanese speak Japanese, Namibians speak a diverse set of languages. When looking at their respective education law, Japan does not mention any inclusion of freedom of language, even to ensure that the Japanese language shall be the language of instruction in school or to ensure the possibility of other languages as a language of instruction. Meanwhile, Namibia's Basic Education Act mentions in article 4 that "preference is given to the mother tongue of the learner as the medium of learning and instruction at school". This is further corroborated in article 15 where the Ministry of Education should create a national language policy based on the principle that "every learner has the right to instructions in the language of his or her choice" and in article 21 where a learner has "the right to the language of his or her choice in education". Further, when Finland and Japan are compared, despite being highly democratic and the majority using a single language, Japan does not guarantee freedom of language while Finland does. Thus, as the comparison shows, the distinction in this sub-category is more apparent

when the line is drawn based on whether the country has one or multiple official languages, rather than based on the level of democracy. As Table 3 shows, the two countries with no inclusion of freedom of language are in the “free” and “partly free” categories.

Regarding freedom of religion, there seem to be similarities between most countries, with the exception of China and Zimbabwe. Firstly, all other countries, regardless of their democracy scores in one way or another, protect the freedom of religion in school. Further, when the line is drawn based on whether the country has one or multiple predominant religions, freedom of religion is still protected. This is visible in Finland, Indonesia, Malaysia, Namibia, South Africa, and Cambodia where the law ensures that every student has the right to practice or study the religion of choice, despite the majority of the population identifying with one religion. For instance, Cambodia, despite having Buddhism as the religion of the state and the majority of the population identifying as Buddhist, ensures that no student shall be forced to participate in religious activities as part of their education in article 33 of the Law on Education. Similarly, Malaysia, a Muslim state, ensures that no students shall attend religious teachings other than what the student professes in article 51.B of the Education Reform Act. Additionally, although Japan does not explicitly mention freedom of religion, article 15 of the Basic Education Act mentions that “the attitude of religious tolerance, general knowledge of religion, and the position of religion in social life shall be valued in education”. Meanwhile, China and Zimbabwe do not mention anything regarding freedom of religion in the education law. The distinction in this sub-category is apparent, as countries with higher levels of democracy provide freedom of religion. Only China and Zimbabwe, two countries with low levels of democracy pose as exceptions in this category.

Equality

Finally, in terms of equality, a lack of pattern can be observed again. All countries except Malaysia mention equality of opportunity to access education, albeit with some slight differences in the emphasis. To begin with, China, Japan, Indonesia, Namibia, South Africa, and Zimbabwe mention in their respective law that all students shall enjoy equal opportunities for education. Some also further mention that education shall not be discriminatory on the grounds of race, ethnicity, colour, sex, religion, and economic status. As far as the extent of equality is concerned, Namibia not only protects students’ equal opportunity and from any form of discrimination, but it also ensures that all children in Namibia have reasonable access

to universal education and that the state school and admission of said school are based on the principles of non-discrimination, inclusivity, equality, and equity. Additionally, South Africa's National Education Policy Act article 4.A.VII includes that every person has the right to "establish an education institution based on common language, culture or religion, as long as there is no discrimination on the ground of race". Although not mentioning the word "equal", Cambodia's Law on Education article 31 mentions that "every citizen has the right to access ... education", suggesting an equal opportunity to education. Similarly, Finland does not mention equality in a general manner like the other countries do but mentions it in the context of admission. Article 28.2 of the Basic Education Act states, "In the admission of pupils ... the applicants shall be subject to equal selection criteria". On the other hand, Malaysia does not mention anything related to equality in its Education Reform Act. Thus, all countries, regardless of their democratic score have inclusion for equality of opportunity to education, with the exception only of Malaysia.

Discussion and conclusion

This thesis was conducted to identify whether the level of democracy affects the inclusion of democratic values in education laws. In doing so, this research utilised the diverse case selection method with nine countries. The fundamental education law from each country is coded systematically based on a coding frame constructed around the concept of democracy. When the countries are compared based on the categories, the distinction of democratic values in education is most apparent in the democratic goals category and freedom of religion sub-category. The three countries with the lowest democracy score do not mention any democratic goals of their education. Similarly, the two countries with low democracy scores, China and Zimbabwe, also lack inclusion for freedom of religion. Meanwhile, for the other three categories, the distinction is rather unclear when it is based on the democratic level. First, the participation category shows that the two countries missing the participation inclusion are rather spread out in the democracy score spectrum (Japan and Malaysia). Second, the freedom of language sub-category also shows that the differences are clearer when contrasted based on the official language policy than the level of democracy. This is supported when Japan as a highly democratic country but with no inclusion of freedom of language is compared to Finland, a highly democratic country with a majority language, and to Namibia, a country with a lower democracy score with a diverse set of languages in the country. Finally, with the exception of Malaysia, all countries have inclusion of equality in education regardless of the democratic

level. Therefore, based on these results, it can be concluded that the level of democracy affects the inclusion of democratic values in education law in terms of the goal of education and the freedom of religion, but not in terms of participation, freedom of language, and equality due to a lack of pattern. These differences or lack thereof are visible in Table 3, where the empty cells are relatively more concentrated on the lower rows for democratic goals and freedom of religion and are more spread for participation, freedom of language, and equality.

The findings of this thesis demonstrate the implication of democracy to not only daily human activities but also human development, especially in showing that democratic values protect the rights of individuals in the education system. This is best demonstrated by Finland's freedom of language where the minority languages are still protected despite the dominance of Finnish. Further, this thesis contributes to the literature on the impact of democracy. Following the literature gap in Haralstad et al. (2022), this thesis narrows the gap by conducting a qualitative study on the effect of democracy on education. As mentioned previously, the results of this thesis identify that democracy has a varying effect on education law which depends on the categories of the coding frame with the categories of democratic goals and freedom of language showing clear patterns, while the categories of participation, freedom of language, and equality showing lack of pattern.

Reasons for the lack of pattern may be explained by other variables. For instance, regarding freedom of language, the creation of a national identity by the state could hinder the possibility of other languages being the language of instruction in school. As an example, the Malaysian government has been attempting to create a national identity that would unite the diverse culture of Malaysians (Segawa, 2007, p. 30). However, the Malay and Islam-based national identity policies implemented in the education law created strong non-Malay resistance to the national culture, which contributed to the recognition of Chinese and Tamil as languages of instruction in the education system (Segawa, 2007, p. 31). Even then, as this thesis has found, the Malaysian Education Reform Act only implicitly suggests that other languages may be used as the language of instruction while still pushing that the default language of instruction is Malay. On the other hand, Indonesia has also persistently used language as a national identity. The Indonesian language was settled as a national language by the Youth Pledge, an early independent movement which formed the basis for Indonesian nationalism (Paauw, 2009, p. 3). Given the diverse demographics of Indonesia, the Indonesian language has served its purpose as a symbol of unity and identity (Paauw, 2009, p. 5). This crucial function of the

Indonesian language for the nation could be reflected in the fact that Indonesia's National Education System Act only states Indonesian as the language of instruction and no other languages, even local languages, are given the possibility to be the language of instruction.

However, even when a clear pattern is observed, as in the case of the democratic goal category, the codification process of the data sheds light on education goals other than democracy. China's education system explicitly aims for other ideological goals, whereas article 5 in the Education Law states that the education system aims to "serve the socialist modernization construction and the people". This reflects China's political ideology of communism and socialism (Creemers, 2020, p. 37) and demonstrate that indeed, other factors contribute to the content of the education law. Further, in the freedom of religion sub-category, China does not mention freedom of religion but does mention in article 8 that education and religion are separated. Again, this is reflective of China as an atheist state, despite recognizing some religions (Dillon, 2001, p. 4). Thus, the discussion of Malaysia, Indonesia, and China not only supports the theory that education is influenced by various ideas and the government but also opens new avenues of research that identify other variables that may influence the dependent variable of this thesis and would enrich the academic literature regarding education policies.

Additionally, future research could build upon and circumvents the limitations of this thesis. First, due to the language barrier and data availability, the representativeness of the diverse case selection method is limited. Countries in the Americas are not represented, limiting the generalisability of the findings in this thesis. Countries in this continent, especially in Central and South America are interesting due to having a single official language like Brazil and Chile but are also diverse in terms of minority languages. Future research could look into these countries to provide for a more representative case selection. Second, the data selected for this thesis vary in terms of quantity for each country. Some countries have brief education acts, while others are very extensive. Given the limited scope of this thesis, only one fundamental law is chosen. Doing so does provide an overview of the education system but lacks depth and comprehensiveness. Thus, to circumvent this limitation, future research could utilise multiple education policy documents.

Finally, although the laws ensure democratic values, they do not reflect real-life implementation. This means the findings of this thesis are only valid on paper and not in practice. For instance, China's education system has been plagued with gender, geographics,

urban-rural cleavage, and income inequality (Yang et al., 2014, p. 2; Yiwen & Boran, 2021, p. 494). Further, even in highly democratic countries, a contradicting reality also exists. This is evident in Finland, where Zacheus's et al. (2020, pp. 1, 13) study of students in Finnish lower secondary schools regarding discrimination and racism shows that one-quarter of the respondents reported that they have been discriminated against in schools and that this experience is more prevalent on students with an immigrant background. In the context of immigration, graduates of Korean high schools in Japan also experience unequal treatment when accessing higher education (Human Rights Association for Korean Residents in Japan, 2017, p. 2). These cases show a contradicting reality when compared to the inclusion of equality values in education law. Although these issues are heightened due to other factors such as immigration and historical background, future research could identify the implementation of these democratic values in education and also consider other variables that may influence the delivery of education services to better understand real-life practices.

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Appendix A
Full Coding Results

Ordered based on the level of democracy of country and category. Democracy score is based on score obtained on the year of the law. The text column are direct quotations from the law.

Country (score)	Category	Subcategory	Indicators mentioned	Section/article	Text	Notes
Finland (100)	Democratic goals		Equality	2.2	Education shall promote civilisation and equality in society and pupils' prerequisites for participating in education and otherwise developing themselves during their lives.	
Japan (88)	Democratic goals		Develop a democratic state	1	Education shall aim for the full development of personality and strive to nurture the citizens, sound in mind and body, who are imbued with the qualities necessary for those who form a peaceful and democratic state and society.	

South Africa (83)	Democratic goals	Advancement of democracy	4.B	Education system to contribute to the advancement of democracy , human rights, and the peaceful resolution of disputes.
Namibia (77)	Democratic goals	Democratic culture for diverse language	21.4.A	The education process is aimed at the development of a national democratic culture of respect for the diverse language communities of the country.
Namibia (77)	Democratic goals	Protection of democratic culture	8.2.A.V	A person may not, at any school or hostel, directly or through a third person at the instigation of, or with the consent or acquiescence of, any school personnel, for any reason, subject a learner to (a) any act of physical or mental violence, including injury or abuse, negligent treatment, maltreatment or exploitation and sexual abuse; or (b) conducting or participating in any form of initiation.

Indonesia
(58)

Democratic
goals

Democratic
citizens

3

(2) For the purposes of this section
(a) “initiation practice” means any act
which in the process of initiation,
admission into or affiliation with a
school, a group, intramural or
extramural school activities, inter-
schools sports team or organisation
**(v) Impedes the development of a
democratic culture** that entitles an
individual to be treated as worthy of
respect and concern.

The National Education functions to
develop the capability, character, and
civilization of the nation for
enhancing its intellectual capacity,
and is aimed at developing learners’
potentials so that they become
persons imbued with human values
who are faithful and pious to one and
only God; who possess morals and

Malaysia (49)	Democratic goals	Creating a democratic society	Preamble	noble character; who are healthy, knowledgeable, competent, creative, independent; and as citizens, are democratic and responsible. Education plays a vital role in achieving the country's vision of attaining the status of a fully developed nation in terms of economic development, social justice, and spiritual, moral and ethical strength, towards creating a society that is united, democratic, liberal and dynamic.
Finland (100)	Participation	Make the decisions	30.3	The pupil's parent/carer shall make the decisions concerning the choice of subjects and syllabi referred to in Section 11.
Finland (100)	Participation	Association	47A.1	A school referred to in Section 6(2) above may have a student association composed of the pupils. The remit of the association shall be

South Africa (83)	Participation	Association	4.A.VI	<p>to promote joint action, influence and participation of the pupils in matters relating to pupils.</p> <p>Every person to the freedoms of conscience, religion, thought, belief, opinion, expression, and association within education institutions.</p>
South Africa (83)	Participation	Broad public participation	4.M	<p>Ensuring broad public participation in the development of education policy and the representation of stakeholders in the governance of all aspects of the education system.</p>
Namibia (77)	Participation	Learner participation	16.3	<p>Learners should be encouraged to participate in sports for development, school prefects programmes, learners’ representative councils, peer support groups, school clubs, school committees or sub-committees and in other major related activities.</p>

Namibia (77)	Participation	Meaningful participation	50.M	Ensure meaningful parental, community and learner participation in school governance and social accountability.	
Indonesia (58)	Participation	Empower participation in education services	4.6	Education is conducted by empowering all components of the community through their participation in the implementation and quality control of the education services.	
Indonesia (58)	Participation	Participate in education system	8	The community has the right to participate in the planning, implementation and monitoring, and evaluation of the education programmes.	
Indonesia (58)	Participation	Participate in the education system	54.2	Community can participate as the source, executor, and consumer of education outcomes.	
Cambodia (35)	Participation	Right to assemble	35	The right to assemble as groups or clubs of the learners for educational purposes.	Article 35 concerns the rights and

Cambodia (35)	Participation	Right to assemble	35	The right to participate actively and fully in order to develop educational standards at institutional and national levels, directly or through their representatives.	obligations of learners. Bullet point number 4. Bullet point number 6.
Cambodia (35)	Participation	Parents right to participation	36	The right to active and full participation in order to develop educational standards at school and national levels, directly or through their representatives.	Article 36 concerns the rights and obligations of parents or guardians.
Cambodia (35)	Participation	Public education meetings	37	The right to organize public education meetings	Article 37 concerns the rights and obligations of educational personnel.

Bullet point number 4.

Bullet point number 6.

Cambodia
(35)

Participation

Right to
participate

37

The right to actively and fully participate in developing educational standards at local and national levels, directly or through their representatives.

Cambodia
(35)

Participation

Right to
participate

44

Persons, religions groups, families, communities, national and international, non-governmental organizations, and public and private institute have **the right to fully participate** and provide resource in any form of human capital, in kind or in case with the purpose of supporting and developing the education sector.

Zimbabwe
(29)

Participation

Association of
teachers

68.2

Any **association of teachers** recognised by the Minister in terms of subsection (1) **may advise and make representations** to the

China (9)	Participation		Participation to support	46	Secretary and be consulted by the Minister on any matters pertaining to education in Zimbabwe (29) to which this Act applies. Enterprises, institutions, public organizations and other social organizations and individuals may support the construction of schools and participate in management through proper forms.
Finland (100)	Freedom	Language	Ability to choose language	10.1	The language of instruction and the language used in extracurricular teaching shall be either Finnish or Swedish. The language of instruction may also be Saami, Roma or sign language. In addition, part of teaching may be given in a language other than the pupils' native language referred to above, provided that this does not risk the pupils' ability to follow teaching.

South Africa (83)	Freedom	Language	Right of language of instruction	4.A.V	Every student to be instructed in the language of his or her choice.	
Namibia (77)	Freedom	Language	Preference given to the mother tongue	3.G	The preference that is given to the mother tongue of the learner as medium of learning and instruction at school.	
Namibia (77)	Freedom	Language	Right of language of instruction	15.1	The Minister, in developing the national policy on education under section 4, must include a national language policy which is based on the principle that every learner has the right to instructions in the language of his or her choice where this is reasonably practicable.	
Namibia (77)	Freedom	Language	Right to the language of choice	21.4.B	Within practical limits, a learner has the right to the language of his or her choice in education.	
Malaysia (49)	Freedom	Language		17.2	Where the main medium of instruction in an educational institution is other than the national language , the national language shall	Implicitly suggests education in

Cambodia (35)	Freedom	Language		24	be taught as a compulsory subject in the educational institution.	other languages.
Zimbabwe (29)	Freedom	Language	Teach every language	62.1.A	The language for Khmer learners of minority Khmer origin shall be determined by Prakas of the Ministry in charge of Education. Every school shall endeavour to (a) teach every officially recognised language.	
China (9)	Freedom	Language	Language of instruction; bilingual education	12	The standard spoken and written Chinese language shall be the basic language used by schools and other educational institutions in education and teaching, and schools and other educational institutions shall use standard spoken and written Chinese language in education and teaching. Schools and other educational institutions dominated by ethnic minority students in ethnic	Possibility for bilingual education despite Chinese as the language of instruction

Finland (100)	Freedom	Religion	Ability to choose religion	13.1	<p>autonomous areas shall, according to the actual circumstances, use the standard spoken and written Chinese language and the spoken and written language of their respective ethnicities or commonly used by the local ethnicities to implement bilingual education.</p> <p>The provider of basic education shall provide religious education in accordance with the religion of the majority of pupils. In this case, religious education is arranged in conformity with the religious community to which the majority of pupils belong. A pupil who does not belong to this religious community may attend the said religious education after the provider of basic education has been notified of the matter by the parent/carer.</p>	Section 13 has 6 articles regarding religious education and ethics
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Finland (100)	Freedom	Religion	Accordance to own religion	13.3	Three or more pupils belonging to a religious community other than those referred to in subsection 2 who do not participate in religious education referred to in subsection 1 shall be provided religious education in accordance with their own religion , if their parents/carers so request.
Japan (88) (88)	Freedom	Religion	Religious tolerance	15.1	The attitude of religious tolerance , general knowledge religion, and the position of religion in social life shall be valued in education.
South Africa (83)	Freedom	Religion	Freedom of religion	4.A.VI	Every person to the freedoms of conscience, religion , thought, belief, opinion, expression, and association within education institutions.
Namibia (77)	Freedom	Religion	Right to practise religion	26.1	A learner at a State school or hostel has, subject to Article 21 of the Namibia (77)n Constitution, the right to practise any religion which is not against public order and to manifest

Indonesia (58)	Freedom	Religion	Religious education in accordance	12.1.A	such practice without fear or intimidation from anybody at the school or hostel. Receive religious education in accordance with his/her religion
Malaysia (49)	Freedom	Religion	Freedom of religion	51.B	The governors of a government-aided educational institution may provide for religious teaching in a religion other than Islam to the pupils of the educational institution or to any of them but no pupil shall attend teaching in a religion other than that which he professes, except with the written consent of his parent.
Cambodia (35)	Freedom	Religion	Religious activities	33	The Ministry in charge of education shall take into consideration Buddhism which is religion of the State. Learners and other persons involved in education shall not be forced to participate , whether

Finland (100)	Equality	Equal selection criteria	28.2	directly or indirectly, in religious activities and/or any religious practices as part of the education and/or educational services.
Japan (88) (88)	Equality	Equal opportunity	4.1	In the admission of pupils referred to in this subsection, the applicants shall be subject to equal selection criteria . Citizens shall all be given equal opportunities to receive education according to their abilities and shall not be subject to discrimination in education on account of race, creed, sex, social status, economic position, or family origin.
South Africa (83)	Equality	Protection against unfair discrimination	4.A.I	Every person to be protected against unfair discrimination within or by an education department, or education institution on any ground whatsoever

South Africa (83)	Equality	Equal access	4.A.II	Of every person to basic education and equal access to education institution
South Africa (83)	Equality	Equal opportunity to establish education institution	4.A.VII	Every person to establish , where practicable, education institutions based on a common language, culture, or religion, as long as there is no discrimination on the ground of race
Namibia (77)	Equality	Protection against unfair discrimination	7.1.B	A person may not subject a child or learner who is attending any school, to any form of direct or indirect discrimination on grounds of race, ethnic origin, colour, sex, religion, creed, social or economic status.
Namibia (77)	Equality	Universal education	4.K	The provision of reasonable access to universal quality education to all children in Namibia (77)
Namibia (77)	Equality	Equal access	19.1	A State school must admit learners and serve their educational

Namibia (77)	Equality	Equal access	19.2	requirements without discriminating in any way. Subject to this Act, the national admission policy must be in line with inclusivity, accessibility, equity and equality.
Namibia (77)	Equality	Principles of non-discrimination	39.C	The Namibia (77)n State school system is based on the principles of inclusivity, equity, universality and non-discrimination.
Indonesia (58)	Equality	Equal opportunity	Preamble	A national education system should ensure equal opportunity.
Indonesia (58)	Equality	Non-discrimination	4.1	Education is conducted democratically, equally and non-discriminatorily based on human rights, religious values, cultural values, and national pluralism.
Indonesia (58)	Equality	Equal rights	5.1	Every citizen has equal rights to receive a good quality education

Cambodia (35)	Equality	Equal access	31	Every citizen has the right to access qualitative education of at least 9 years in public schools free of charge.	Does not specify "race, ethnic, religion, sex"
Zimbabwe (29)	Equality	Protection against unfair discrimination	4.2.B	No child in Zimbabwe (29) shall be discriminated against by the imposition of onerous terms and conditions in regard to his or her admission to, suspended, excluded or expelled from any school on the grounds of his or her nationality, race, colour, tribe, place of birth, ethnic or social origin, language, class religious belief, political affiliation, opinion, custom, culture, sex, gender, marital status, age, pregnancy, disability or economic or social status, or whether they were born in or out of wedlock.	
China (9)	Equality	Equal opportunity	9	All citizens, regardless of ethnic group, race, sex, occupation, property	

status or religious belief, shall enjoy
equal opportunities for education
