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# The Principle of Non-Discrimination in Public Services and the Realization of Educational Justice: A Comparative Study of the Legal Systems of Iran, the United States, France, Türkiye, and Japan

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The central question of this study is what structural, legislative, and executive deficiencies exist in the Iranian legal system, compared with successful international systems, in the pursuit of educational justice, and what operational models may be adopted to remedy them. Using a descriptive-analytical method and a comparative approach, this study examines the legal systems of Iran, the United States, France, Türkiye, and Japan across four dimensions: legal foundations, resource-allocation policies, protection of vulnerable groups, and the institutional structure of supervisory bodies. The findings indicate that, although all the legal systems examined have formally recognized the principle of equality, their success depends on the existence of independent oversight mechanisms, precise operational definitions of justice, transparent and targeted budget allocation—such as the Title I program in the United States and Priority Education Zones in France—quality standardization measures—such as the national curriculum and teacher-rotation system in Japan—and concrete support policies for linguistic and cultural minorities. By contrast, Iran's education system faces deficiencies including the absence of an independent supra-branch supervisory institution, a lack of transparency in the criteria governing the distribution of per capita educational funding, excessive centralization, incomplete implementation of Article 15 of the Constitution concerning the teaching of local languages, and the absence of a well-developed body of judicial precedent on discrimination in public services. The study concludes that the realization of genuine educational justice in Iran requires three interconnected categories of reform: legislative reform, through operational definitions and clear enforcement guarantees; institutional reform, through the establishment of an independent authority to supervise implementation of the Fundamental Reform Document; and executive reform, through the reconsideration of resource-allocation methods and the empowerment of marginalized groups. The experiences of the four countries examined may provide useful guidance for designing and implementing these reforms.

***Keywords:*** *principle of non-discrimination, educational justice, public services, comparative study, Fundamental Reform Document of Education, equality of opportunity.*

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## 1. Introduction

The principle of non-discrimination, as one of the foundational pillars of the international human rights system and a peremptory norm, guarantees not merely formal equality but also the realization of substantive justice in the enjoyment of fundamental rights. This principle assumes particular importance in

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the field of public services, especially education, which is recognized as a public good and a fundamental right essential to the development of the human personality and social progress. International instruments, including the International Covenant on Economic, Social and Cultural Rights, the Convention against Discrimination in Education, and the Convention on the Rights of the Child, require states to provide education without discrimination and on the basis of equality of opportunity, while emphasizing the immediate and non-derogable nature of the relevant obligations. Within the Iranian legal system, Articles 19, 20, and 30 of the Constitution, together with paragraph 9 of Article 3, expressly emphasize the equality of all persons before the law, the elimination of unjust discrimination, and the creation of equitable educational facilities, while obligating the government to provide free and non-discriminatory education for the entire population. Nevertheless, the fundamental question is whether the country's legal framework and supreme policy documents, particularly the Fundamental Reform Document of Education, have effectively transformed these legal obligations into genuine educational justice, or whether structural and executive disparities between advantaged and disadvantaged regions and among different social groups continue to persist and create serious obstacles to the realization of the principle of non-discrimination. In addressing this question, the present article adopts a descriptive-analytical approach and employs the comparative method to conduct an in-depth examination of the principle of non-discrimination in educational services within the Iranian legal system, while comparatively analyzing four selected countries: the United States, France, Türkiye, and Japan. These countries were selected because of the diversity of their legal, institutional, and executive approaches to educational inequality: from the litigation- and civil-rights-based system of the United States, to France's centralized and duty-oriented egalitarian approach; from Japan's policies of standardization and equitable resource distribution, to Türkiye's supportive and development-oriented strategies in disadvantaged regions. By critically examining Iran's legislative structures, supervisory institutions, budget-allocation mechanisms, and policies for protecting vulnerable groups, this article seeks to identify the strengths and weaknesses of the domestic system in light of successful international experiences. The ultimate objective of the study extends beyond the mere description of laws and is directed toward presenting operational and adaptable models for bridging the gap between theory and practice and, ultimately, formulating guidelines for reforming educational policies in pursuit of genuine and objectively realizable educational justice in the Islamic Republic of Iran.

## 2. The Conceptual and Legal Framework of the Principle of Non-Discrimination in Public Services

The principle of non-discrimination constitutes one of the foundational pillars of both the international human rights system and domestic public law and assumes particular importance in the field of public services, including education. This principle is not merely a formal rule requiring identical treatment; rather, it constitutes a substantive guarantee that all persons may enjoy fundamental rights without any unjustified distinction. This section outlines the conceptual and legal framework of the principle of non-discrimination in public services from the perspectives of international human rights instruments and Iranian law, thereby establishing a comparative analytical basis for evaluating the Fundamental Reform Document of Education.

### *2.1. The Principle of Non-Discrimination in International Human Rights Instruments, with Particular Emphasis on the Right to Education*

The principle of non-discrimination is embedded in all authoritative human rights instruments and has been recognized as a rule of customary international law and even as a peremptory norm within the international human rights system (Ziaei Bigdeli, 2025). Article 2 of the Universal Declaration of Human Rights of 1948 clearly provides that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, including race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status. This provision establishes the conceptual foundation of the prohibition of discrimination (Ansari, 2016). Although the prohibited grounds appear as an open-ended list, they reflect the characteristics of the human groups historically and structurally most vulnerable to discriminatory treatment (Ziaei Bigdeli, 2025). Within this framework, "public services," understood as those

governmental functions provided to secure citizens' welfare and fundamental rights, constitute a particularly sensitive field for the application of this rule. A state that provides services such as education is therefore required to make them available to all persons without discrimination.

At the conceptual level, international human rights law distinguishes between "direct discrimination" and "indirect discrimination." Direct discrimination occurs when a rule, policy, or practice explicitly places an individual or group at a disadvantage on the basis of a prohibited characteristic. Indirect discrimination, which is often less visible and more complex, refers to a situation in which an apparently neutral rule has a disproportionate effect on a particular group. For example, requiring complete proficiency in the official language as a condition for admission to a public school may not appear discriminatory on its face, but it may disproportionately disadvantage students belonging to linguistic minorities and may therefore constitute indirect discrimination (Tomaševski, 2001). This subtle distinction is essential to the analysis of educational policies, particularly in countries characterized by ethnic and linguistic diversity.

The right to education, as one of the clearest manifestations of public services, occupies a special position in both general human rights instruments and specialized treaties, all of which reiterate that non-discriminatory access is an inseparable component of this right. Article 13 of the International Covenant on Economic, Social and Cultural Rights recognizes the right of everyone to education, while Article 13(2)(c) provides that higher education must be made equally accessible to all on the basis of capacity. In its General Comment No. 13, the Committee on Economic, Social and Cultural Rights identifies four essential dimensions of the right to education: availability, accessibility, acceptability, and adaptability, all of which must be guaranteed without discrimination. The Committee further emphasizes that non-discrimination in education is an immediate obligation subject to immediate implementation and that states may not postpone its fulfillment on the grounds of insufficient resources.

The Convention against Discrimination in Education, adopted by UNESCO in 1960 and acceded to by Iran in 1968, was the first specialized international instrument devoted entirely to prohibiting discrimination in education. Article 1 defines "discrimination" as any distinction, exclusion, limitation, or preference based on race, color, sex, language, religion, political or other opinion, national or social origin, economic condition, or birth that has the purpose or effect of nullifying or impairing equality of treatment in education. A noteworthy aspect of this definition is its emphasis on discriminatory "effect." Consistent with the concept of indirect discrimination, the Convention does not regard discriminatory intent as the sole criterion but instead evaluates the practical consequences of the measure. Article 4 further requires states to formulate and implement appropriate laws and policies to promote equality of opportunity and treatment in education and to guarantee non-discriminatory access to education. Accordingly, states are not merely required to refrain from discrimination as a negative obligation; they must also adopt positive measures to secure genuine equality. The Convention on the Rights of the Child likewise recognizes, in Article 28, the child's right to education and requires states to achieve this right progressively and on the basis of equal opportunity. Article 2 obligates States Parties to respect and ensure the rights set forth in the Convention, including the right to education, for every child within their jurisdiction without discrimination based on race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth, or any other status of the child or of the child's parents or legal guardians. In General Comment No. 1, the Committee on the Rights of the Child defines the aims of education as extending beyond basic literacy to include the development of the child's personality, talents, and mental and physical abilities, as well as preparation for responsible life in a free society in a spirit of understanding, peace, tolerance, and gender equality. Such an approach requires a discrimination-free educational environment in which children's cultural and identity-based diversity is recognized.

Moreover, specialized international instruments concerning vulnerable groups provide enhanced protection against discrimination in education. Article 10 of the Convention on the Elimination of All Forms of Discrimination against Women requires states to take all appropriate measures to eliminate discrimination against women in education and to ensure equal conditions for girls and boys at every educational level.

Similarly, Article 24 of the Convention on the Rights of Persons with Disabilities recognizes the right of persons with disabilities to inclusive and non-discriminatory education, subject to the provision of reasonable accommodation, and prohibits states from excluding such persons from the general education system. Particularly when read together, these instruments present a comprehensive account of states' obligation to provide public education without discrimination, encompassing negative duties to refrain from creating discriminatory barriers, positive duties to adopt measures securing genuine equality, and protective duties to prevent discrimination by third parties (Hashemi, 2024).

Overall, the principle of non-discrimination in public services, especially education, constitutes an immediate and non-derogable obligation under international human rights law. It requires states to eliminate unjustified distinctions based on prohibited grounds not only from legislation and regulations but also from institutional structures and executive practices. The principle extends beyond formal equality and seeks to achieve substantive equality, which may require the recognition of relevant differences and the adoption of special measures, or affirmative action, to remedy historical disadvantage (Ziaei Bigdeli, 2025). Given that Iran's Fundamental Reform Document of Education is intended to redesign the national education system as a comprehensive policy instrument, its assessment against these international standards is unavoidable.

### *2.2. The Status of the Principle of Non-Discrimination in Iranian Public and Constitutional Law*

Within the Iranian legal system, the principles of non-discrimination and equality before the law occupy a prominent position in the Constitution and are recognized as fundamental rights of the nation. Article 19 of the Constitution of the Islamic Republic of Iran provides that "the people of Iran, regardless of the ethnic group or tribe to which they belong, enjoy equal rights, and color, race, language, and similar characteristics shall not constitute grounds for privilege." Through its general language, this provision rejects discrimination based on identity-related and inherent characteristics. Article 20 further provides that "all members of the nation, whether women or men, are equally protected by the law and enjoy all human, political, economic, social, and cultural rights, subject to Islamic criteria" (Hashemi, 2024). Together, these two provisions establish the constitutional foundation of the prohibition of discrimination in public services and apply to all branches of government, including the executive authorities responsible for providing educational services (Hashemi, 2024).

In addition to these general principles, paragraph 9 of Article 3 of the Constitution requires the government of the Islamic Republic of Iran to eliminate unjust discrimination and create equitable opportunities for all in every material and spiritual field (Hashemi, 2024). This provision is significant because it imposes a positive obligation on the state, requiring it not merely to refrain from discrimination but also to take active measures to eliminate existing inequalities in society. This interpretation corresponds to the concepts of "special measures" and "affirmative action" in international law (Zamani & Zahiri, 2022). Public services, including education, constitute one of the clearest examples of the material and spiritual domains in which the state must create equitable opportunities. Consequently, in line with international instruments, the Iranian Constitution obligates the government to establish equal opportunities and eliminate structural barriers to non-discrimination in education.

In the educational sphere, Article 30 of the Constitution specifically guarantees free education for all members of the nation through the completion of secondary education and requires the government to expand free higher education to the extent necessary for the country to achieve self-sufficiency (Hashemi, 2024). Although this article does not expressly refer to "non-discrimination," its reference to "all members of the nation," read in conjunction with Articles 19 and 20, requires that this public service be provided without unjustified distinction. Furthermore, the presidential oath under Article 121, which requires the President to safeguard the Constitution and devote all personal capacities and qualifications to fulfilling the responsibilities assumed, together with the state's broader obligation to implement social justice emphasized in Article 43 and other constitutional provisions, creates a binding legal framework requiring educational policymakers to prioritize the equitable distribution of educational resources and services.

It should also be noted that Iran has ratified or acceded to numerous international instruments concerning non-discrimination and the right to education. These include the International Covenant on Economic, Social and Cultural Rights, ratified by Parliament in 1975; the Convention against Discrimination in Education, ratified in 1968; the Convention on the Rights of the Child, ratified in 1993; and the Convention on the Rights of Persons with Disabilities, ratified in 2007. Pursuant to Article 9 of the Civil Code, these treaties have the force of law in the domestic legal system. Article 9 provides that treaty provisions concluded between the Iranian government and other states in accordance with the Constitution shall have the force of law. Accordingly, Iran's international obligations concerning non-discrimination in education constitute not merely moral and political commitments but also domestic legal duties. Educational policies, including the Fundamental Reform Document, must therefore be harmonized with these binding norms.

Nevertheless, the Iranian legal system faces certain challenges in interpreting the principle of non-discrimination, particularly in education. The qualification "subject to Islamic criteria" in Article 20 has sometimes been invoked to justify limitations on equal access to public services, especially in relation to particular groups such as women or religious minorities, potentially placing domestic practice in tension with international standards (Zamani & Zahiri, 2022). Moreover, broad formulations such as "the creation of equitable opportunities" in Article 3 require precise interpretation and implementation to prevent them from becoming aspirational declarations without effective enforcement mechanisms. The absence of comprehensive national anti-discrimination legislation and the lack of a well-developed body of judicial precedent concerning discrimination in public services have created legal gaps that may obstruct the complete implementation of the principle within the education system, particularly through an instrument such as the Fundamental Reform Document. Nonetheless, Iran's constitutional framework generally provides a strong basis for assessing the Document's compatibility with the principle of non-discrimination and offers a standard for evaluating its success or failure in realizing educational justice.

In conclusion, the principle of non-discrimination in public services is recognized both in international human rights instruments and in the Iranian Constitution as a fundamental and immediately applicable principle requiring states to make education, as a public good, accessible to everyone without unjustified distinction. Both legal systems conceptualize equality not merely in terms of universal formal access but also in relation to educational quality, cultural appropriateness, and the elimination of structural barriers.

## 3. An Examination of United States Law

The legal system of the United States is among the most complex and dynamic systems in the world with respect to educational justice, particularly from the perspective of the principle of non-discrimination. Given its long history of racial discrimination and economic inequality in education, the United States has sought through numerous statutes, policies, and judicial decisions to guarantee equitable access to education for all social groups. Educational justice in the United States is understood as the provision of equal opportunities for all students, regardless of race, ethnicity, economic status, gender, or disability (Darling-Hammond, 2010). This section examines the legal frameworks, executive policies, and continuing challenges associated with educational justice in the United States.

### *3.1. The Legal Framework of Educational Justice*

The United States advances educational justice primarily through constitutional law, federal legislation, and judicial decisions. The Fourteenth Amendment to the United States Constitution, adopted in 1868, guarantees equal protection of the laws and has served as a principal legal basis for combating discrimination in education (Orfield & Eaton, 1996). In particular, the Equal Protection Clause has been invoked in numerous legal proceedings seeking to eliminate racial and economic discrimination in schools. One of the most important judicial decisions in this field is *Brown v. Board of Education* (1954), in which the Supreme Court of the United States declared racial segregation in public schools unconstitutional. The Court held that racial segregation in schools, even where tangible facilities were ostensibly equal, violated the equality principle

embodied in the Fourteenth Amendment because segregation was inherently unequal (Kluger, 1975). This decision constituted a turning point in the history of educational justice in the United States and laid the foundation for school-desegregation policies.

The Civil Rights Act of 1964 additionally prohibited discrimination on the grounds of race, color, religion, sex, or national origin in educational institutions receiving federal funding. The Act provided a powerful legal mechanism for preventing discrimination in the allocation of educational resources. Accordingly, discriminatory distribution of budgets, facilities, or educational programs in federally funded schools is unlawful. The Elementary and Secondary Education Act of 1965 also played a central role in advancing educational justice. The Act, later revised in 2001 through the No Child Left Behind Act, focused on reducing achievement gaps among different groups, particularly low-income and minority students (Darling-Hammond, 2010). Title I of the Act provides funding to schools serving large populations of low-income students so that such institutions may offer improved educational resources and facilities.

The legislation concerning the education of persons with disabilities, enacted in 1975 and subsequently developed into the Individuals with Disabilities Education Act, also guarantees equal access to education for students with disabilities. It requires such students to be educated in the least restrictive environment and to receive individualized education programs designed in accordance with their particular needs (Yell et al., 2021). This legislation exemplifies the United States' commitment to preventing discrimination on the basis of disability.

### *3.2. Executive Policies*

Executive policies in the United States designed to realize educational justice focus on three principal areas: equitable resource allocation, racial and social integration, and support for disadvantaged groups.

- **Equitable resource allocation:** Educational financing in the United States depends heavily on local property taxation, which frequently produces substantial budgetary disparities between schools in affluent and impoverished areas (Kozol, 1991). To address this problem, numerous states have witnessed legal challenges seeking reform of school-financing systems. For example, in *Serrano v. Priest* (1971), the California Supreme Court held that dependence on property taxation to finance education was discriminatory and required reform (Orfield & Eaton, 1996). Consequently, many states developed more equitable financing formulas that allocate additional funding to disadvantaged districts.
- **Racial and social integration:** Following *Brown v. Board of Education*, racial integration policies were implemented through student-transportation programs and the redrawing of school-district boundaries. Although these policies achieved a degree of success during the 1960s and 1970s, social and political resistance and the subsequent reemergence of de facto segregation created new challenges (Orfield, 2001). Nevertheless, programs such as magnet schools, which offer specialized educational programs designed to attract students from different social and racial groups, continue to contribute to social integration (Siegel-Hawley & Frankenberg, 2011).
- **Support for disadvantaged groups:** Federal initiatives such as Head Start, which provides preschool education to low-income children, and bilingual-education programs for students whose first language is not English have helped reduce educational disparities affecting disadvantaged groups (Crawford, 2004). By responding to the specific needs of minority and low-income populations, these programs reinforce the principle of non-discrimination.

Despite considerable progress, the United States education system continues to face significant challenges in realizing educational justice. De facto segregation persists because of residential patterns and parental school choice (Orfield & Frankenberg, 2014). Inequality in school financing likewise continues, particularly in states where adequate reforms have not been implemented (Kozol, 1991). Furthermore, achievement gaps between racial and economic groups remain substantial, with Black and Latino students often performing less successfully on standardized assessments than their White counterparts (Darling-

Hammond, 2010). Ultimately, through federal legislation, judicial decisions, and executive policies, the United States has established a strong framework for realizing educational justice and prohibiting discrimination in education. *Brown v. Board of Education*, the Civil Rights Act of 1964, the Elementary and Secondary Education Act, and the Individuals with Disabilities Education Act exemplify the country's commitment to equal educational opportunity. Nevertheless, inequalities in educational financing and continuing de facto segregation remain major obstacles to the complete realization of educational justice. These experiences may provide Iran with valuable lessons concerning the formulation of justice-oriented legislation and policies and the supervision of their implementation.

## 4. French Law

The French legal system constitutes one of the world's most prominent models of educational justice. It emphasizes the principle of equality and seeks, through centralized policies and comprehensive legislation, to guarantee equitable access to education for all citizens regardless of their social, economic, or cultural background. In France, educational justice is understood as the provision of equal opportunities for all students, the reduction of regional and social inequalities, and the guarantee of access to high-quality education. This section examines the legal frameworks, executive policies, and challenges associated with educational justice in France.

### *4.1. The Legal Framework of Educational Justice*

The French legal system advances educational justice through constitutional and national legislation. The Constitution of 1958, particularly its preamble incorporating the Declaration of the Rights of Man and of the Citizen of 1789, affirms equality as one of the fundamental principles of the Republic. Article 1 of the Declaration provides that all human beings are born and remain equal in rights. This principle extends to education as a public right and establishes the government's duty to provide it free of charge and without discrimination. The French Education Code constitutes the principal legal framework of the education system. It defines education as a public service that must be accessible to all without discrimination based on sex, race, religion, or social status. Article L111-1 provides that the education system must guarantee equal opportunities for academic success and reduce social and regional inequalities. The Education Reform Act of 1989 reinforced the principle of equality in education and introduced policies to support disadvantaged students. It established Priority Education Zones, through which additional resources were allocated to schools in disadvantaged areas to reduce educational disparities (Dubet et al., 2010). This policy exemplifies France's commitment to preventing discrimination in access to education. The 2005 legislation concerning persons with disabilities guarantees students with disabilities access to education in mainstream settings. It requires such students to receive educational programs adapted to their needs, thereby demonstrating a commitment to non-discrimination on the basis of disability.

### *4.2. Executive Policies*

French executive policies designed to realize educational justice focus on three principal areas: equitable decentralization, support for disadvantaged areas, and the integration of marginalized groups.

- **Equitable decentralization:** The French education system is centrally administered by the Ministry of National Education. Since the 1980s, however, reforms have introduced a degree of decentralization at the regional and school levels. These reforms allow local authorities to allocate resources according to local needs, thereby contributing to the reduction of regional inequalities (Van Zanten et al., 2008). For example, regions with disadvantaged populations receive additional funding and teaching personnel.
- **Support for disadvantaged areas:** The Priority Education Zone program, subsequently reorganized as the Priority Education Networks, allocates additional resources—including more teachers, smaller classes, and specialized educational programs—to schools in disadvantaged areas. The program was specifically designed to reduce achievement gaps between students in disadvantaged

districts and those in other areas (Dubet et al., 2010). By seeking to reduce economic and social discrimination, this policy promotes equal opportunities for disadvantaged students.

- **Integration of marginalized groups:** France has implemented several policies aimed at integrating immigrant and minority students. French-language instruction for non-Francophone students and cultural-support programs for immigrant learners facilitate their access to high-quality education (Helot & Young, 2002). These programs are specifically designed to reduce discrimination against immigrant students who may encounter linguistic and cultural barriers.

### *4.3. The Role of the Private Sector and Public Participation*

France has a limited number of private schools, most of which operate under contracts with the state. These institutions are required to comply with educational standards equivalent to those applicable to public schools and, in exchange for receiving state funding, must refrain from discrimination in student admissions. This policy ensures that the principle of non-discrimination is respected even within the private sector. Civic participation, including the involvement of parent associations and charitable organizations, also contributes to the provision of resources for schools, especially in disadvantaged areas. Through financial assistance and voluntary activities, these actors help improve infrastructure and educational programs, thereby reducing regional inequalities (Dubet et al., 2010). Despite its strong legal framework and policies, however, the French education system continues to encounter difficulties in realizing educational justice. Socioeconomic inequalities remain influential in shaping students' educational outcomes, and students from low-income families frequently perform less successfully in national and international assessments such as PISA (Dubet et al., 2010). Decentralization has also occasionally generated regional inequalities because wealthier regions possess greater resources (Van Zanten et al., 2008). In addition, the integration of immigrant students is hindered by factors such as shortages of specialist teachers qualified to teach French as an additional language and cultural resistance in certain regions.

Ultimately, through its Constitution, Education Code, and centralized policies—including priority education programs and support for students with disabilities and immigrant backgrounds—the French legal system has created a strong framework for achieving educational justice and prohibiting discrimination. Its emphasis on equality and equitable resource allocation, particularly in disadvantaged regions, exemplifies the state's commitment to providing high-quality education for all. Nevertheless, socioeconomic inequalities and challenges concerning immigrant integration continue to require attention. The French experience may offer Iran useful lessons concerning centralized policymaking, support for disadvantaged groups, and supervision of educational standards.

## 5. Turkish Law

The Turkish legal system approaches educational justice as part of the country's commitment to equality and non-discrimination, emphasizing equal access to education for all citizens regardless of race, religion, sex, or socioeconomic status. Against the background of twentieth-century educational reform and modernization, Türkiye has attempted through centralized legislation and policies to reduce educational inequalities and provide equal opportunities for different groups, particularly minorities and residents of disadvantaged regions. This section examines the legal frameworks, executive policies, and challenges associated with educational justice in Türkiye.

### *5.1. The Legal Framework of Educational Justice*

The Turkish legal system advances educational justice through constitutional and national legislation. Article 42 of the 1982 Constitution guarantees education as a fundamental right of all citizens and provides that no person may be deprived of this right. It also emphasizes non-discrimination and requires primary and secondary education to be compulsory and free of charge (Çöker, 2020). This constitutional framework provides a foundation for justice-oriented educational policies.

The 2012 reform of compulsory education extended compulsory schooling from eight to twelve years and emphasized equal access for all children, especially those

in rural and disadvantaged regions. The reform was intended to reduce school dropout rates and expand educational participation, particularly among girls and disadvantaged groups (Aksit, 2007). It constitutes an example of Türkiye's efforts to address gender-based and geographical discrimination in education. Legislation governing vocational and technical education also contributes to educational justice by providing educational opportunities corresponding to labor-market requirements, particularly for students in disadvantaged areas. Vocational programs have been expanded in less-developed regions to provide students with occupational skills (Tarman, 2010). These measures contribute to reducing economic inequality through education. The 2005 legislation protecting persons with disabilities guarantees access to education for students with disabilities. It requires such students to be educated in mainstream educational environments and to receive specialized educational services where necessary. This policy reflects Türkiye's commitment to non-discrimination on the basis of disability.

### *5.2. Executive Policies*

Executive policies in Türkiye designed to realize educational justice focus on three principal areas: expanding access to education, supporting disadvantaged groups, and improving educational infrastructure.

- **Expanding access to education:** Through initiatives such as the Movement to Increase Opportunities and Improve Technology, commonly known as the FATİH Project, launched in 2010, Türkiye has sought to improve access to high-quality education throughout the country. By distributing tablets and installing interactive whiteboards in schools, particularly those in disadvantaged regions, the project has attempted to reduce the digital divide and provide more equal learning opportunities (Okçabol, 2008). This measure contributes to reducing discrimination in access to educational technology.
- **Supporting disadvantaged groups:** Supportive programs, including educational scholarships and free school meals in disadvantaged regions, have reduced economic barriers to schooling. These programs are particularly significant for girls in rural areas who face cultural and financial obstacles to enrollment and continued attendance. Such policies contribute to preventing gender-based and economic discrimination.
- **Improving educational infrastructure:** Türkiye's Ministry of National Education has invested substantially in constructing and renovating schools in disadvantaged regions. Projects implemented with international cooperation have improved educational infrastructure in eastern and southeastern Türkiye, where many ethnic minorities, including Kurdish communities, reside. These measures contribute to reducing geographical inequalities.

### *5.3. The Role of the Private Sector and Public Participation*

The private sector plays an important role in Turkish education, particularly through private schools and charitable foundations. These institutions operate under the supervision of the Ministry of National Education and are required to comply with national educational standards. Charitable foundations provide financial assistance to low-income students to facilitate their access to high-quality schools (Aksit, 2007). Such participation contributes to reducing economic inequality in education and strengthens the principle of non-discrimination. Despite significant progress, the Turkish education system continues to face challenges in realizing educational justice. Regional inequalities persist, particularly between urban and rural areas and between western and eastern Türkiye. Eastern and southeastern regions, which are home to substantial ethnic-minority populations, continue to experience shortages in educational infrastructure and access to qualified teachers (Çöker, 2020). Gender discrimination also continues to obstruct girls' education in some rural areas, despite improvements in enrollment rates (Aksit, 2007). Furthermore, the integration of immigrant students, particularly the substantial Syrian refugee population, is hindered by shortages of Arabic-speaking teachers and appropriately adapted educational programs.

Ultimately, through constitutional provisions, compulsory- and vocational-education legislation, and centralized policies such as the FATİH Project and support for disadvantaged regions, the Turkish legal system has established a significant framework for achieving educational justice and prohibiting discrimination. Its emphasis on equal access, support for disadvantaged groups, and infrastructure development demonstrates the country's commitment to providing quality education for all. Nevertheless, regional inequalities, gender-related barriers, and the integration of immigrants require further attention. Türkiye's experience may provide Iran with useful lessons concerning centralized policymaking, support for minorities and disadvantaged regions, and the use of civic and charitable participation.

## 6. Japanese Law

The Japanese legal system is regarded as one of the world's most advanced educational systems because of its emphasis on equality, high quality, and universal access to education. Drawing on constitutional principles and centralized educational policies, Japan has sought to provide equal educational opportunities to all citizens regardless of social or economic status, sex, or ethnic background. Its strong performance in international assessments such as PISA and its high educational-enrollment rates have made it a prominent model of educational justice. This section examines the legal framework, executive policies, and challenges associated with educational justice in Japan.

### *6.1. The Legal Framework of Educational Justice*

The Japanese legal system advances educational justice through constitutional and national legislation. Article 26 of the 1947 Constitution guarantees education as a fundamental right of all citizens and requires free compulsory education at the primary and lower-secondary levels, generally through the age of 15. The provision emphasizes equality of access and requires the state to establish the conditions necessary for the realization of this right (Tsuneyoshi et al., 2011). This constitutional framework forms the basis of Japan's justice-oriented educational policies.

The Fundamental Law of Education, enacted in 1947 and revised in 2006, emphasizes equality of educational opportunity and characterizes education as an instrument of individual and social development. It requires the state to distribute educational resources equitably and prevent discrimination in access to education (Okano & Tsuchiya, 1999). The legislation also emphasizes educational quality and the cultivation of responsible citizens capable of participating in society. The School Education Act of 1947 provides a framework for standardizing curricula, facilities, and teacher qualifications throughout the country. It ensures that schools in both urban and rural areas comply with uniform standards, thereby contributing to the reduction of geographical inequality (Saito, 2009). This legislation exemplifies Japan's commitment to preventing discrimination in the provision of educational services. Legislation governing special-needs education, substantially reformed in 2007, guarantees educational access for students with disabilities. It requires such students to be educated in mainstream settings or, where necessary, in special schools and to receive programs adapted to their needs. This policy reflects Japan's commitment to non-discrimination on the basis of disability.

### *6.2. Executive Policies*

Executive policies in Japan designed to realize educational justice focus on three principal areas: equitable resource distribution, standardization of educational quality, and support for disadvantaged groups.

- **Equitable resource distribution:** Japan's education system is centrally coordinated by the Ministry of Education, Culture, Sports, Science and Technology. The Ministry distributes educational funding among regions with the objective of reducing geographical inequalities. Schools in rural and remote areas, for example, receive additional funding to improve infrastructure and attract qualified teachers (Kariya, 2012). This policy contributes to reducing geographical discrimination in educational access.
- **Standardization of educational quality:** Japan applies a uniform national curriculum developed by the Ministry of Education, Culture, Sports, Science and Technology and

implemented in all public schools. This curriculum ensures that students, irrespective of geographical location or social status, have access to substantially equivalent educational content. Such standardization helps prevent discrimination in educational quality.

- **Support for disadvantaged groups:** Japan has introduced several programs to support low-income and minority students. Scholarships and educational subsidies for low-income families reduce financial barriers to education (Saito, 2009). Educational programs have also been introduced for ethnic minorities, including the Ainu, and for Korean and Chinese migrant communities, with the aim of promoting cultural inclusion and reducing discrimination.

### *6.3. The Role of the Private Sector and Public Participation*

The private sector plays an important role in Japanese education through private schools and supplementary educational institutions, commonly known as *juku*. These institutions operate under the supervision of the Ministry of Education, Culture, Sports, Science and Technology and are required to comply with applicable educational standards. Although *juku* primarily serve students from more affluent families, government-supported measures have sought to improve access for low-income students and thereby reduce economic inequality (Kariya & Rappleye, 2020). Civic participation, particularly through parent–teacher associations, also contributes to improving educational infrastructure and supporting extracurricular programs. Despite its considerable achievements, however, Japan's education system faces continuing challenges in realizing educational justice. Competitive pressures arising from entrance examinations for upper-secondary schools and universities create disadvantages for low-income students because affluent families are better able to afford *juku* tuition (Kariya & Rappleye, 2020). The integration of students with disabilities into mainstream schools is also hindered by shortages of specialized teachers and appropriate infrastructure. Furthermore, ethnic minorities such as the Ainu and migrant communities continue to encounter cultural and social discrimination within the education system.

Ultimately, through its Constitution, the Fundamental Law of Education, and centralized policies such as the national curriculum and equitable resource distribution, Japan has established a strong framework for achieving educational justice and prohibiting discrimination. Its emphasis on equal access, standardized educational quality, and support for disadvantaged groups reflects the state's commitment to providing high-quality education for all. Nevertheless, economic inequalities associated with the *juku* system and difficulties in integrating minorities continue to require attention. Japan's experience may provide Iran with useful lessons concerning curriculum standardization, equitable resource distribution, and support for disadvantaged groups.

## 7. Comparative Analysis

Educational justice, as a fundamental human rights principle, is not merely a moral aspiration but a binding obligation within national and international legal systems. Comparative research demonstrates that countries, despite their structural, ideological, and economic differences, have adopted diverse approaches to realizing this principle. This section adopts a comparative approach, first examining the legal framework governing educational justice in Iran and subsequently comparing it with the education systems of the United States, France, Türkiye, and Japan in order to identify legislative and executive strengths, weaknesses, and gaps. The ultimate purpose of this analysis is to identify models capable of contributing to the improvement of educational policymaking in Iran.

### *7.1. The Legal Framework of Educational Justice in Iran*

The concept of educational justice in the Iranian legal system is rooted in two foundational sources: on the one hand, Islamic jurisprudential teachings and the principles of the Constitution of the Islamic Republic of Iran and, on the other, Iran's international obligations under the human rights instruments to which it has acceded. The Constitution requires the state to provide free education and physical education for all at every level and to expand educational facilities for all to the extent necessary for national self-sufficiency (Hashemi, 2024). This constitutional provision establishes a strong

basis for understanding educational justice as a fundamental right.

In contemporary legal scholarship, educational justice may be analyzed from three perspectives. The first is distributive justice, which concerns the equitable allocation of educational resources and opportunities among individuals and different social groups. The second is recognitional justice, which emphasizes identifying and addressing the particular needs of vulnerable groups. The third is participatory justice, which concerns the right of all stakeholders to participate actively in educational decision-making processes (Fraser, 2008; Rawls, 1971). An examination of Iran's supreme educational policy instruments indicates that they have primarily addressed the distributive dimension, while the recognitional and participatory dimensions have received comparatively limited attention.

*7.1.1. The Fundamental Reform Document of Education and the Principle of Non-Discrimination*

The Fundamental Reform Document of Education, adopted by the Supreme Council of the Cultural Revolution in 2011, constitutes the most comprehensive strategic instrument governing Iran's education system. The Document is founded on the philosophy of Islamic education and defines the system's general objectives, intermediate objectives, and operational strategies. From the perspective of educational justice, it may be evaluated along several dimensions.

**a) Attention to equality of access:** The first general objective of the Document is the education of human beings capable of approaching the status of divine vicegerency (Hashemi, 2024). Despite this normative orientation, the Document's operational strategies emphasize the development of educational justice and the reduction of educational disparities between disadvantaged and advantaged regions (Hashemi, 2024). Critics have nevertheless argued that the Document lacks specific and measurable executive mechanisms for achieving this objective (Hashemi, 2024).

**b) The principle of non-discrimination:** The Fundamental Reform Document expressly refers to equality of educational opportunity but interprets such equality within an Islamic values framework. On the one hand, this approach is consistent with international instruments such as the Convention on the Rights of the Child of 1989 and the International Covenant on Economic, Social and Cultural Rights of 1966. On the other hand, it advances a particular interpretation of non-discrimination that may not fully correspond to international standards (Tomaševski, 2001).

**c) Structural limitations:** One of the principal deficiencies of the Fundamental Reform Document is the absence of an independent supervisory body responsible for monitoring its implementation. Unlike education systems such as that of France, where independent assessment institutions operate within the supervisory framework, supervision of the Document's implementation in Iran remains largely within the Ministry of Education itself. This arrangement undermines the institutional independence of the evaluation process.

*7.1.2. The Law on the Objectives and Responsibilities of the Ministry of Education*

The Law on the Objectives and Responsibilities of the Ministry of Education, adopted in 1987, constitutes one of the principal legal foundations of Iran's education system and defines the Ministry's general responsibilities. Article 1 identifies the Ministry's principal objective as the education of faithful, knowledgeable, and specialized individuals within the framework of Islamic values. Although this formulation may conflict with certain universal understandings of educational justice, Article 4 expressly requires the state to provide equal educational opportunities to all social groups. A notable deficiency of the statute is the absence of any operational definition of "equal opportunities." This conceptual ambiguity means that, in practice, the implementation of educational justice depends on the varying interpretations of administrators and policymakers. By comparison, Japanese educational legislation not only recognizes equality of opportunity but also establishes specific financial obligations for the government (Okano & Tsuchiya, 1999).

*7.1.3. The Law Governing the Selection of Teachers and Educational Personnel*

One of the most controversial legal instruments from the perspective of educational justice is the law governing the selection of teachers and employees of the Ministry of Education. The law establishes criteria for teacher recruitment, some of which—including ideological and

political criteria—may conflict with the principle of non-discrimination in employment recognized in international labor instruments, including International Labour Organization Convention No. 111 of 1958.

From the perspective of educational justice, this legislation has two principal implications. First, where selection criteria reduce diversity among teachers, students belonging to cultural, linguistic, and religious minorities may have less access to teachers capable of understanding their particular needs. Second, where teachers face occupational pressure because they express critical views concerning educational inequalities, the space available for critical discourse on educational justice may be restricted (Freire, 1970).

*7.1.4. The Executive Regulations for Schools and Mechanisms for Realizing Educational Justice*

The Executive Regulations for Schools, most recently revised in 2019, function as the principal legal instrument governing school administration and address various aspects of educational justice. The most important provisions related to educational justice include the following:

- **Article 17:** This article provides for equal access to educational services for all students and prohibits schools from applying discriminatory admission practices.
- **Article 24:** This article establishes mechanisms for identifying students with special educational and developmental needs and providing them with supportive services. It may be understood as an intersection between educational justice and the concept of inclusive education emphasized in the Convention on the Rights of Persons with Disabilities of 2006.
- **Article 38:** This article regulates the distribution of funding among schools. A principal criticism, however, is that the applicable allocation criteria lack sufficient transparency and are not subject to independent supervision.

Nevertheless, a substantial gap exists between the legal text of the Regulations and their practical implementation in the realities of Iranian education. Empirical studies indicate that, although the Regulations require equal access, significant disparities persist between the quality of education in urban and rural schools and between advantaged and disadvantaged regions (Hashemi, 2024). This disparity indicates that the existing legal framework, although generally consistent with educational-justice standards at the level of principle, suffers from structural deficiencies at the implementation stage.

*7.1.5. Assessment against International Instruments*

A comprehensive evaluation of Iran's legal framework for educational justice requires its assessment against relevant international instruments. The principal instruments to which Iran has acceded and that have implications for educational justice include the following:

**a) The Convention on the Rights of the Child of 1989:** Iran acceded to the Convention in 1993 subject to a general reservation. Article 28 recognizes the right of every child to education and requires states to make primary education compulsory and free. Iran's reservation, which emphasizes the primacy of Islamic rules, may in certain circumstances restrict the full implementation of the Convention's provisions.

**b) The International Covenant on Economic, Social and Cultural Rights of 1966:** Article 13 of the Covenant, which Iran has ratified, expressly recognizes the right of everyone to education and requires states to provide compulsory and free primary education and progressively develop free education at other levels. In General Comment No. 13, the United Nations Committee on Economic, Social and Cultural Rights formulated the four-dimensional "4-A" framework for evaluating the right to education: availability, accessibility, acceptability, and adaptability. Assessment of Iran's education system against this framework indicates that, although considerable progress has been achieved in availability, serious challenges remain concerning accessibility for vulnerable groups and adaptability to the diverse needs of learners.

**c) The Convention against Discrimination in Education of 1960:** This UNESCO Convention, to which Iran has acceded, prohibits discrimination in education based on race, color, sex, language, religion, political opinion, national or social origin, or economic condition. Comparison of the Convention's standards with educational realities in Iran, particularly regarding minority-language education and the education of girls

in certain disadvantaged regions, reveals continuing disparities requiring policy attention.

*7.2. Executive Policies and the Institutional Structure for Realizing Educational Justice*

Educational justice cannot be realized solely through the enactment of laws and supreme policy instruments. Its realization requires precise executive mechanisms, clearly designated responsible institutions, and adequate resources. Within Iran's education system, a significant gap exists between the provisions of legal instruments and their implementation in practice. Understanding this gap requires careful examination of executive policies and institutional structures.

The first and most fundamental dimension of executive policy concerns the distribution of educational resources. In its operational strategies, the Fundamental Reform Document emphasizes the equitable distribution of per capita educational expenditure and requires the government to allocate proportionally greater funding to disadvantaged regions (Hashemi, 2024). At the legal level, Article 38 of the Executive Regulations for Schools also addresses resource distribution among schools. However, the absence of transparent and monitorable mechanisms has meant that actual resource allocation is frequently influenced more by administrative and political considerations than by educational-justice criteria. Empirical studies indicate that schools in affluent urban areas receive, on average, per-student resources two to three times greater than those available to rural schools and schools in disadvantaged regions (Hashemi, 2024). This reality is plainly inconsistent with the objectives expressed in the relevant legal instruments.

The second dimension is the school-based management approach, which has been presented in recent years as an executive strategy for realizing educational justice. By establishing bodies such as school councils, parent–teacher associations, and student councils, the 2019 Executive Regulations for Schools sought to institutionalize local stakeholder participation in school administration. Under this approach, the school principal is not merely an implementer of centralized directives but an agent of change capable of identifying local needs and allocating limited resources more equitably. Nevertheless, implementation of this approach within a highly centralized administrative system faces significant challenges. School principals possess limited substantive authority in comparison with local education departments, and schools are not provided with the resources necessary to implement independent decisions (Hashemi, 2024).

The third dimension concerns policies supporting disadvantaged regions. Iranian law contains definitions of "disadvantaged regions" and provides certain legal incentives for recruiting and retaining personnel in such areas. These measures include hardship allowances for teachers working in remote locations and preferential coefficients in recruitment examinations for local applicants. Despite these policies, studies indicate that a substantial number of schools in disadvantaged provinces and border regions continue to suffer from shortages of specialist teachers, adequate educational premises, and necessary equipment (Hashemi, 2024). This situation demonstrates a profound gap between policy formulation and implementation.

The fourth dimension concerns support for particular groups, one of the most complex areas of educational policymaking. Article 24 of the Executive Regulations for Schools establishes mechanisms for identifying and supporting students with special needs. In addition, the Comprehensive Law on the Protection of the Rights of Persons with Disabilities, adopted in 2017, requires the state to provide inclusive education for persons with disabilities. With regard to religious minorities, the Executive Regulations permit the establishment of schools for the constitutionally recognized religious minorities—Christians, Jews, and Zoroastrians. In relation to linguistic minorities, however, despite Article 15 of the Constitution, which permits the teaching of local and ethnic languages alongside Persian, implementation has remained highly limited. The adverse effects of this limitation on the educational performance of Azerbaijani Turkish-, Kurdish-, Arabic-, and Baluchi-speaking students have been documented in numerous studies (Zamani & Zahiri, 2022).

At the institutional level, the Ministry of Education, as the principal responsible authority, possesses an extensive organizational structure extending from the central administrative level to provincial, county, and district education departments. On the one hand, this centralized structure facilitates uniform policy implementation. On the other, it reduces the flexibility required to respond to diverse local needs. The Supreme Council of Education,

as the highest educational policymaking body, is responsible for adopting major policy instruments but lacks an independent structure for conducting field-based supervision of their implementation. This supervisory gap constitutes one of the most important structural challenges facing Iran's education system in its pursuit of educational justice.

### *7.3. Comparative Study: Similarities and Differences among Legal Systems and Proposed Models*

Comparative study of different national education systems is important because it provides access to successful models and instructive experiences and permits a deeper identification of gaps within the domestic legal system. This section compares the legal systems of Iran, the United States, France, Türkiye, and Japan across four dimensions: legal foundations, executive mechanisms, responsible institutions, and practical challenges.

In the United States, the legal foundation of educational justice rests on several key legal instruments. The Fourteenth Amendment of 1868, through the principle of equal protection of the laws, established a basis for combating educational discrimination, which the Supreme Court extended to racial segregation in public schools in its landmark decision in *Brown v. Board of Education* of 1954. The Civil Rights Act of 1964 prohibited discrimination based on race, color, or national origin in educational programs receiving federal financial assistance. The Elementary and Secondary Education Act and its subsequent reforms, particularly the No Child Left Behind Act of 2001 and the Every Student Succeeds Act of 2015, created a comprehensive legal framework for financing disadvantaged schools and monitoring educational outcomes. Title I, which emerged from this legislative framework, is the largest federal program supporting schools in low-income areas and allocates substantial annual funding to such institutions (Darling-Hammond, 2010). In addition, the Individuals with Disabilities Education Act of 1990 requires inclusive education and individualized education programs for students with disabilities (Yell et al., 2021).

In France, equality occupies a foundational position as one of the Republic's three core values—liberty, equality, and fraternity. The Constitution of 1958 recognizes free and secular education as a fundamental right. The Education Code, which consolidates French educational laws and regulations, establishes equal access to high-quality education throughout the country. A noteworthy feature of the French legal system is its "duty-oriented egalitarian" approach. The state is required not only to remove barriers to access but also to create conditions enabling all students to benefit from equal opportunities. The Priority Education Zone program, initiated in 1981 and subsequently reorganized into networks promoting educational success, constitutes a practical manifestation of this approach (Dubet et al., 2010).

In Türkiye, Article 42 of the 1982 Constitution guarantees the right to education, while national education legislation establishes the fundamental principles of the Turkish education system, including equality of opportunity. In 2012, Türkiye extended compulsory education from eight to twelve years, an important step toward expanding access to secondary education. The FATİH Project, designed to integrate information technology into education, particularly in disadvantaged schools, exemplifies Türkiye's executive approach to reducing the digital divide. Nevertheless, challenges concerning the education of Kurdish populations and other minority groups remain structural weaknesses of the system (Aksit, 2007).

In Japan, Article 26 of the 1947 Constitution guarantees every citizen the right to receive education corresponding to individual ability. The Fundamental Law of Education, revised in 2006, places equality of educational opportunity at the center of the system. Through nationwide standardization of curriculum content by the Ministry of Education, Culture, Sports, Science and Technology, Japan maintains relatively consistent levels of quality throughout the country. The distribution of teaching personnel through a rotation system, under which teachers are periodically transferred among different schools, including disadvantaged institutions, is an effective mechanism for the equitable distribution of human capital (Kariya, 2012).

- **Equality and Non-Discrimination**

A common feature of all five legal systems is their formal recognition of equality and non-discrimination. However, substantial differences exist in the interpretation and implementation of these principles. The United States and France have adopted an anti-discrimination model of equality in which differential treatment based on protected characteristics is

prohibited. The United States reinforces this principle through an active judiciary and extensive litigation, whereas France implements it through affirmative programs such as priority education initiatives. Türkiye and Japan have tended to pursue "equality through standardization," seeking to provide uniform educational quality throughout the country. Iran follows a distinctive approach that combines the legal recognition of equality with a particular interpretation grounded in Islamic values. In certain respects, this approach corresponds to international standards, whereas in others it departs from them.

- **Executive Policies: Budgets, Resources, and Particular Groups**

One of the most important distinctions among the five systems concerns the financing and distribution of educational resources. In the United States, education is financed at the federal, state, and local levels, with local funding heavily dependent on property taxation. On the one hand, this tripartite structure enables targeted federal support for low-income areas. On the other, reliance on local property taxation may reproduce existing inequalities because affluent districts possess stronger tax bases (Kozol, 1991). In France, educational financing is predominantly centralized, with the national government bearing the principal financial responsibility. This creates greater coherence and relative equality in resource allocation. In Japan, the central government contributes substantially to the salaries of primary- and lower-secondary-school teachers, thereby preventing severe financial disparities among regions. In Iran, education is also primarily financed through the central government budget, but the criteria governing allocation among regions lack adequate transparency and monitorability, facilitating the persistence of regional inequalities.

The countries examined also demonstrate considerable diversity in their approaches to supporting particular groups. Through the Individuals with Disabilities Education Act, the United States provides individualized programs for students with disabilities and, through specialized language programs, supports students who are not proficient in English. France adopts a more active approach than Iran through educational-integration programs and support for immigrant students. Japan has likewise taken effective measures through inclusive-education programs and financial support for low-income students. A common feature of these experiences is the existence of clear operational definitions of target groups, mechanisms for identifying needs, and dedicated resources for addressing those needs. These elements are either absent from Iran's legal system or insufficiently developed.

- **The Roles of Central Government, Local Institutions, and Public Participation**

Another important comparative dimension is the balance between centralization and decentralization in educational governance. The United States displays the greatest degree of decentralization among the five countries. Local education authorities possess substantial decision-making powers. On the one hand, this approach increases flexibility and responsiveness to local needs. On the other, it may intensify qualitative inequalities among regions. France traditionally maintained a highly centralized system but has pursued decentralization since the 1980s by granting greater authority to regional and local administrations. Türkiye has likewise taken certain steps toward decentralization in recent years, although its educational administration remains predominantly centralized. Through a two-tier financing structure involving the central government and local governments, Japan has created a balance between national coherence and responsiveness to local needs. Iran's education system remains the most centralized among the countries compared, while the school-based management approach recognized in legal instruments has largely remained aspirational.

- **Common Implementation Challenges**

Despite their structural and ideological differences, all five education systems face common challenges in implementing educational justice. First, a gap between legal texts and practical realities exists in every country, although its extent varies. Second, socioeconomic inequalities persist as underlying structural factors that educational policy alone cannot eliminate. Third, linguistic and cultural minorities face educational challenges in systems inclined toward cultural and linguistic homogenization. Fourth, transforming formal equality into substantive equality requires recognition of students' unequal starting positions and constitutes a common challenge for all education systems (Fraser, 2008).

## 8. Conclusion

The comparative examination of the legal systems of Iran, the United States, France, Türkiye, and Japan in the field of educational justice provides a clear picture of Iran's legal and executive position. At the legal level, Iran's framework expressly supports educational justice and the right to equal education. The Constitution, the Fundamental Reform Document, the Law on the Objectives and Responsibilities of the Ministry of Education, and the Executive Regulations for Schools all confirm this formal commitment. Iran has therefore taken significant steps toward recognizing educational justice in legal terms. Nevertheless, a substantial gap persists between these legal obligations and executive realities. The absence of precise operational definitions of educational justice and measurable evaluative criteria, the lack of an independent supervisory institution, opacity in budget distribution, incomplete implementation of Article 15 of the Constitution concerning minority-language education, and profound disparities between advantaged and disadvantaged regions constitute the principal structural deficiencies of Iran's education system in the pursuit of genuine educational justice.

Comparison with the other four legal systems indicates that explicit legal foundations and governmental commitment to equality are common strengths among all five countries. What distinguishes the more successful systems, however, is the existence of precise executive mechanisms, independent supervisory institutions, and targeted budgets that reduce the distance between legal commitments and practical implementation. To strengthen genuine educational justice, Iran requires reform at three levels: legislative reform, through operational definitions and clearer enforcement guarantees; institutional reform, through the establishment of independent supervisory mechanisms; and executive reform, through reconsideration of resource-distribution methods and enhanced protection for vulnerable groups. Adaptable models derived from the experiences of the four countries examined may provide useful guidance in designing these reforms.

## Authors' Contributions

Authors contributed equally to this article.

## Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

## Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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