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# A COMPARATIVE STUDY OF EDUCATIONAL POLICIES BETWEEN US AND INDIA

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## I. ABSTRACT

*This study undertakes a comparative analysis of educational policies in the United States and India, two major democratic nations with distinct socio-economic, cultural, and institutional frameworks. The research problem centers on understanding how differing policy structures, governance models, and implementation mechanisms influence educational outcomes, particularly in terms of access, quality, equity, and innovation. The study employs a doctrinal and comparative research methodology, relying primarily on qualitative analysis of key policy documents such as India's National Education Policy 2020 and Right to Education Act 2009, and the United States' Every Student Succeeds Act, supplemented by secondary data from government reports and international organizations. The scope of the study is limited to primary and secondary education, with selective references to higher education where relevant. It critically examines dimensions such as curriculum design, assessment frameworks, inclusivity measures, digital education policies, and regional disparities in implementation. The paper argues that while the U.S. system emphasizes decentralization, flexibility, and innovation, the Indian system has historically been more centralized, though recent reforms indicate a shift towards holistic and multidisciplinary learning. Preliminary analysis suggests that both countries face persistent challenges in bridging equity gaps and ensuring effective policy implementation, despite well-articulated frameworks. The study highlights that policy success is contingent not merely on design but on contextual adaptability, administrative capacity, and socio-economic realities. It concludes by suggesting the need for cross-learning between the two systems, particularly in areas of inclusive education, teacher training, and technology integration, to enhance overall educational outcomes.*

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## II. KEYWORDS

Comparative Education Law, National Education Policy 2020, Every Student Succeeds Act, Right to Education Act 2009, Education Policy Reform.

## III. INTRODUCTION

Education is the backbone of any nation, as the past, present, and future depend on it. As famously stated by Abraham Lincoln, "Education is the key to unlock the golden door of freedom." However, unlocking this "golden door" requires a framework of laws, rules, and policies that vary across countries.

The education machinery of any country depicts the social and economic development of the youth. The distinction in educational policies between the United States and India reveals not only varying informative priorities but also contrasting societal and moral values. Indian educational policies have historically valued Tradition, Dignity, and Discipline for a significant time, and have had a focus on traditional knowledge, focusing on standardized assessments, examinations, and practices.

Recent initiatives, such as the National Education Policy (NEP 2020), approved by the Union Cabinet of India on 29 July 2020, have led to a significant shift towards integrated and student-centric learning.<sup>2</sup> The US education system is predominantly known for its flexibility, focus on ideas of youth, research-led learning, and fostering individual growth. Both countries aim to groom students for a global workforce so that they can face the challenges coming their way and make the world a better place to live.

Surprisingly, both countries have the same objective, but are at crossroads because of their educational policies, such as the school systems, duration of education, assessment methodology, curriculum flexibility, integration of skills, mode of learning, and mainly learning methodology. This comparative study

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<sup>2</sup> National Education Policy 2020 (Ministry of Education, Government of India, 2020).

seeks to critically examine the origin, establishment, implementation, enforcement, and outcomes of key policies in both countries. In doing so, it aims to highlight best practices and policy reforms that support unbiased, high-quality education tailored to evolving global challenges.

### **A. Statement of Problem**

Education is an important aspect of social and cultural development in any country. The United States and India, the two global democracies, have made well-defined educational policies or guidelines that are influenced by their historical background, demographic identities, and socio-economic circumstances. The US education system is often recognized for its focus on inclusivity, innovation, and decentralized governance, while Indian educational policies tussle with the margin, access, language, diversity, and rapid population growth.

Despite these differences, both countries face common issues such as improving quality of education, reducing imbalances and integrating dynamic technology in classrooms for a better experience. In the contemporary context, there exists a clear lacuna in comparative legal analysis examining the similarities, inconsistencies, and impact of educational policies between these two nations, particularly in relation to their constitutional mandates, statutory frameworks, and enforcement mechanisms governing education.

This research seeks to address this gap by undertaking a comparative legal study of educational policies in the United States and India, with a focus on regulatory structures such as the Right to Education framework in India and federal-state legislative mechanisms in the U.S., aiming to generate insights that may inform legal and policy reforms and enhance educational outcomes in both jurisdictions.

## **B. Research Methodology**

David Phillips and Michele Schweisfurth's work provides a foundational framework for comparative education by examining its historical evolution, theoretical orientations, and methodological approaches.<sup>1</sup> While the text is instrumental in structuring cross-national educational comparisons, it remains largely theoretical and does not sufficiently engage with the legal and regulatory dimensions of education systems, thereby necessitating further inquiry into statutory and constitutional frameworks within specific jurisdictions such as the United States and India.

In the book titled *Contextualizing Educational Studies in India: Research, Policy, and Practices*, Editors, Pradeep Kumar Choudhury & Suresh Babu G.S., gives an interdisciplinary approach to understanding contemporary educational studies in India. It examines the interdependence of region, gender, class, caste, and minorities within the Indian educational system. Through case studies and ethnographic accounts, the book provides insights into the challenges of access, equity, and inclusion in education. It also criticizes the impact of market dynamics and ideological influences on educational practices.

In the book titled *Teacher Quality and Education Policy in India, Understanding the Relationship Between Teacher Education, Teacher Effectiveness, and Student Outcomes* Authors: Preeti Kumar & Alexander W. Wiseman gives the critical relationship between teacher quality and educational policies in India. It majorly analyses five national education policies, including the National Education Policy (NEP) 2020, to assess their impact on teacher effectiveness and student outcomes. The authors challenge the implementation of human capital theory in Indian education policy, providing a nuanced understanding of teacher quality as a driver of educational development.

In the book titled, *School Education, Pluralism, and Marginality, Comparative Perspectives* Editors: Christine Sleeter, S.B. Upadhyay, Arvind Mishra, & Sanjay

Kumar gives a comprehensive overview and international aspect of school education, focusing on pluralism and social inclusion. It critically examines how mainstream education often alienates marginalized groups and argues for a pedagogy that considers the material, social, and life experiences of these communities. The book includes contributions from various countries, including the U.S., UK, South Africa, and New Zealand, with a prime focus on India. In this book the authors have given comparative insights into educational practices around different countries. This book also offers perspectives that are essential to understand the scope and dynamics of education systems in both the US & India.

Thomas E. Weisskopf undertakes a comparative analysis of affirmative action policies in the United States and India, critically examining their theoretical justifications and empirical outcomes.<sup>3</sup> While the work provides valuable insights into equity-driven frameworks, it primarily focuses on higher education and does not comprehensively address the broader statutory and constitutional mechanisms governing access to education at the primary and secondary levels, which are central to the present study.

In the article titled, *A Comparative Analysis of Academic Freedom within Higher Education Institutions (HEIs) in India and the USA* Authors, Ruchi Saini critically examines how academic liberty is given or designed in policies (guidelines) in both the US and India, signifying the difference in legal structures and their application for educational institutions in each country.

In the article titled, *Uncovering Special Education in India and the United States, A Comparative Analysis*, authors, Perna Sharma & Priyanka Dhyani compare the transformation of special education policies in India and the U.S., emphasizing the legislative structure and their impact on educational opportunities for students with disabilities on a massive extent.

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<sup>3</sup> Thomas E Weisskopf, *Affirmative Action in the United States and India: A Comparative Perspective* (Routledge 2004).

In the book titled, *Changing Educational Policies in the United States and India: Perspectives of Teacher Educators*. Authors: Catherine Wilson Gillespie & Shelley Fairbairn explores the concept of effects on change in educational policies on teachers, professors, educators providing discernment into the challenges and barriers required into teacher preparation programs.

In the book titled, *Comparative Analysis on the Impact of Globalization on the Education System in India and the U.S.* Author, Janet Elizabeth John, this article critically evaluates how globalization influences educational policies in both countries, discussing the positive and negative effects on education systems and cultural nexus.

In the book titled, *Evolution of Public Policy Education in the Global South, The Case of India*. Authors, Ajit Phadnis, Sugandh Aggarwala, & Kumar Naveen this paper throws light on the development of public policy education in India, comparing it with international practices and enlightening the unique challenges faced in the Global South.

### **C. Research Gap**

While comparing the education systems of the U.S. and India, there are several parameters where more in-depth research is needed. These gaps offer valuable opportunities for meaningful academic work and practical insights, which are as follows:

- 1. Policy v/s Reality:** Both countries have well-detailed policies but often tussle with putting them into implementation. In India, for example, many schools still fail to meet minimum standards set by the Right to Education Act 2009. In the U.S., there is a large gap in school infrastructure especially in low-income areas. A deeper critical analysis of how educational policies are actually put into action and where they fall short would be insightful.

2. **Knowledge Quality:** India's education system often focuses on ignoring real-time practical examples, memorization, and exam scores, though recent reforms (like the NEP 2020) aim to change that. The U.S. tends to focus more on analytical thinking and flexible learning, but it also faces issues like over-exposure to standardized testing. There's a clear gap in studies that compare the results of these different areas like language proficiency, skill development, student creativity, problem-solving skills, and long-term learning.
3. **Equity & Inclusion:** While both nations have policies aimed at inclusion (such as affirmative action in the United States and reservation policies in India), there remains a lack of detailed, long-term research evaluating whether these measures effectively improve opportunities for marginalized groups and socially disadvantaged classes, particularly in relation to financial accessibility and foundational literacy levels in both countries.
4. **Cultural Diversity & Multicultural Education:** Both systems aim to grow diversity and promote culture but take different routes. India often focuses on quotas and social inclusion, while the U.S. focuses on multiculturalism and race-based equity. There's room for research that evaluates which approaches lead to better student understanding, tolerance, and engagement in diverse classrooms.

#### **D. Research Questions**

1. How do the constitutional mandates and statutory frameworks governing education in the United States and India differ in their design, implementation, and enforceability at the primary and secondary education levels?
2. To what extent do legal provisions such as the Right to Education framework in India and federal and state education laws in the United

States address social and economic inequalities in access to quality education?

3. What are the key differences in legally mandated curriculum frameworks and pedagogical standards under the respective education laws and policies of the United States and India, and how do these impact students' learning outcomes?
4. In what manner have legal and policy frameworks governing educational technology and digital learning regulated access and equity in the United States and India, particularly for underserved communities?

#### **E. Research Objectives**

1. To analyze the key educational policies in the United States and India, focusing on their aims, structures, and areas of priority (e.g., access, quality, syllabus, and digital education).
2. To compare how educational policies are put into execution in both countries, with particular focus on regional disparities, administrative challenges, and stakeholder engagement.
3. To evaluate the working of these policies in addressing issues of equity and inclusion, such as socioeconomic inequalities, gender gaps, and marginalized communities and classes.
4. To check the role of technology and digital education policies in enhancing access and learning results, especially in underserved or rural areas that are below the poverty line.

#### **F. Research Methodology**

This study adopts comparative doctrinal legal research methodology, supplemented by qualitative policy analysis. The primary focus is on examining and interpreting the constitutional provisions, statutory frameworks, and regulatory mechanisms governing education in the United States and India. The

research analyses how these legal structures shape the formulation, implementation, and enforcement of educational policies, particularly in relation to equity, access, and quality. By employing a comparative legal approach, the study seeks to identify similarities, divergences, and structural limitations within the two jurisdictions, thereby assessing the effectiveness of their respective legal frameworks in achieving educational objectives.

### **A. Sources of Data**

The study relies on both primary and secondary sources. Primary sources include constitutional provisions, statutory enactments such as the Right to Education Act 2009 (India) and Every Student Succeeds Act (United States), and official policy documents including the National Education Policy 2020. Secondary sources comprise government reports (e.g., UDISE, NCES), publications by international organisations such as UNESCO and the World Bank, and relevant academic literature.

### **B. Method of Analysis**

#### **1. Doctrinal and Comparative Approach**

The research employs doctrinal analysis to critically examine legislative texts, policy documents, and judicial interpretations relevant to education law in both jurisdictions. This includes analysing the scope, enforceability, and limitations of statutory rights such as the right to education in India and corresponding federal and state-level legal frameworks in the United States. Additionally, a comparative method is used to evaluate how these legal regimes differ in structure, implementation, and regulatory oversight.

#### **2. Supplementary Analytical Tools**

To contextualise the doctrinal findings, the study incorporates selective case-based analysis illustrating the practical implementation of educational laws and policies in diverse settings, such as urban and rural regions. This enables an

assessment of the gap between legal mandates and ground realities. The research ultimately combines doctrinal, comparative, and analytical methods to provide a holistic and legally grounded evaluation of educational policy frameworks in both countries.

### **C. Scope & Limitation**

#### **1. The scope of the Study**

This research focuses on a comparative analysis of educational policies in the United States and India, particularly scrutinizing how these policies aim to improve access, quality, numerous syllabus changes, and the integration of technology in education. The study includes:

- Analysis of major national education policies, such as:
  - India: National Education Policy (NEP) 2020, Right to Education (RTE) Act
  - U.S.: Every Student Succeeds Act (ESSA), Common Core initiatives
- A focus on primary and secondary education levels, though attention to higher education may be made wherever it is necessary.
- The use of secondary data from government reports, policy documents, academic literature, and global databases.
- The study aims to throw light across implementation, policy effects, and outcomes, especially in addressing disparities and inequalities related to socioeconomic status, geography, gender, race, or caste.

#### **2. Limitations of Study**

- Despite the broad relevance of the topic, this study has several limitations:
  - Both the U.S. and India have decentralized education systems where states/regions create or adapt policies. This means that

national policies may not fully reflect local realities, limiting direct comparisons.

- Some government documents, especially internal implementation reports or district-level data, may not be publicly accessible. This can limit the depth of analysis.
- Due to the vastness of each country's education system, it is not feasible to cover every aspect or region. The study will focus on selected key policies and may use representative case studies rather than nationwide surveys.
- Direct comparisons between two countries with very different historical, cultural, and economic contexts can be complex. The findings will be interpreted with cultural sensitivity, but there may still be nuances that are difficult to fully capture.

## IV. RESEARCH & ANALYSIS

### A. Constitutional and Legal Frameworks

India, the right to education is constitutionally guaranteed under Article 21A of the Constitution, inserted by the Constitution (Eighty-Sixth Amendment) Act, 2002, and operationalised through the Right of Children to Free and Compulsory Education Act, 2009. This establishes a justiciable right enforceable against the State. In contrast, the United States Constitution does not explicitly guarantee a fundamental right to education; rather, educational governance is primarily decentralised, with authority vested in individual states under the Tenth Amendment. Judicial interpretation, particularly in *San Antonio Independent School District v. Rodriguez* (1973), has clarified that education is not a fundamental right under the U.S. Constitution.

## **B. Statutory and Policy Frameworks**

India's National Education Policy 2020 represents a comprehensive reform framework focusing on holistic, multidisciplinary, and inclusive education. It operates alongside statutory mandates such as the RTE Act, 2009. In the United States, Every Student Succeeds Act (2015) provides a federal framework while granting significant autonomy to states in implementation. The divergence lies in India's quasi-centralized statutory enforcement versus the U.S.'s federalist, state-driven model.

## **C. Equity and Inclusion Mechanisms**

India adopts constitutionally backed affirmative measures such as reservation policies aimed at historically disadvantaged communities. These are supported by enforceable legal mandates. In contrast, the U.S. employs affirmative action policies, primarily shaped by judicial interpretation and subject to evolving constitutional scrutiny. The legal enforceability and scope of these mechanisms differ significantly across the two jurisdictions.

## **D. Implementation and Enforcement Challenges**

Despite robust legal frameworks, both countries face challenges in enforcement. In India, issues persist regarding compliance with RTE norms, infrastructural deficits, and regional disparities. In the United States, disparities in school funding and quality, often linked to local taxation systems, raise concerns regarding equal protection and equitable access. This highlights a gap between legal guarantees and practical implementation in both systems.

# **V. SUGGESTIONS AND RECOMMENDATIONS**

- 1. Strengthening Enforcement Mechanisms:** India should enhance monitoring and accountability frameworks under the RTE Act, while the United States should consider stronger federal oversight to reduce inter-state disparities.

2. **Legal Harmonisation of Equity Measures:** Both countries should reassess their affirmative action frameworks to ensure they remain constitutionally sound while effectively addressing systemic inequalities.
3. **Integration of Technology through Legal Mandates:** Policymakers should introduce binding legal standards for digital infrastructure in education to bridge the digital divide, particularly in underserved regions.
4. **Teacher Training and Regulatory Standards:** Establishing uniform legal standards for teacher qualifications and continuous professional development can significantly improve educational outcomes.
5. **Cross-Jurisdictional Learning:** India may adopt decentralised innovation models from the U.S., while the U.S. may draw lessons from India's rights-based statutory framework to strengthen educational entitlements.

## VI. CONCLUSION

This study has undertaken a comparative legal analysis of educational policy frameworks in the United States and India, highlighting significant differences in constitutional recognition, statutory structures, and enforcement mechanisms. While India adopts a rights-based approach through constitutional and statutory guarantees, the United States relies on a decentralized, federal model with significant state autonomy.

Despite these structural differences, both systems face common challenges in ensuring equitable access and effective implementation. The analysis demonstrates that the success of educational policies depends not only on their legal formulation but also on their practical enforceability and adaptability to socio-economic realities. The study underscores the need for continuous legal and policy reform, informed by comparative insights, to achieve inclusive and high-quality education in both jurisdictions.

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