



## THE IMPLEMENTATION OF CRPD IN INDONESIA TO ENSURE EDUCATIONAL RIGHTS FOR AUTISTIC CHILDREN (CASE STUDY: MAKASSAR)

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### *Abstrak*

*Stigma mengenai penyandang autisme masih terus berkembang di masyarakat. Dampaknya membatasi gerak penyandang autisme dalam memperoleh hak-haknya, termasuk hak atas pendidikan. Artikel ini mengkaji implementasi Konvensi Hak-Hak Penyandang Disabilitas (CRPD) sebagai rezim yang mewacanakan hak pendidikan anak autis di Kota Makassar. Studi ini menggunakan kerangka Grindle dan Thomas untuk mengevaluasi desain kebijakan, arena konflik, dan sumber daya implementasi rezim. Meskipun peraturan daerah menunjukkan desain kebijakan yang menggembirakan, berbagai aktor seperti Walikota, DPRD, Dinas Pendidikan, dan komunitas autisme memainkan peran penting dalam arena konflik. Namun, masih terdapat tantangan dalam pemenuhan sumber daya teknis dan fisik, sehingga menghambat keberhasilan praktis implementasi UNCRPD untuk pendidikan autisme di Kota Makassar.*

**Kata Kunci:** *autisme, disabilitas, pendidikan, UNCRPD*

### **Abstract**

Stigma regarding people with autism is still developing in society. The impact limits the movement of people with autism in obtaining their rights, including the right to education. This article investigates the implementation of the Convention on The Rights of Persons with Disabilities (CRPD) as a regime to discourse the educational rights of children with autism in Makassar City. The study uses Grindle and Thomas's framework to evaluate policy design, conflict arena, and regime implementation resources. While regional laws demonstrate a joyous policy design, various actors such as the Mayor, City Council, Education Office, and the autism community play crucial roles in the arena of conflict. However, challenges persist in fulfilling technical and physical resources, restricting the practical success of UNCRPD implementation for autism education in Makassar City.

**Keywords:** autism, disabilities, education, UNCRPD

## **Introduction**

Over the past decade, society has lived in a dichotomy of dividing reality between perfect and imperfect humans (Purba, 2017). This is marked by the many public perceptions that consider persons with disabilities to be part of a "disgrace" that must be hidden and become a burden to society (Wijaya & Nurhajati, 2018). This phenomenon has implications for limiting the movement of persons with disabilities in various aspects of life, especially difficulties in obtaining their basic rights (Wijaya & Nurhajati, 2018).

Autism Spectrum Disorder (ASD) or autism is part of a type of disability, namely, developmental disabilities (Smart, 2019). This classification is because autism symptoms manifest before the age of 3 years and persist throughout the life span. Autism can be identified through communication difficulties, interactions, behavior, and unusual activities. The fact that autism symptoms are closely related to their need to interact with others has a significant impact on the development of children with autism. These interaction limitations have implications for the lack of space for children with autism to obtain their fundamental rights, including the right to education (Kaweski, 2013). This is then exacerbated by the poor level of autism awareness by health practitioners, local authorities, and families of children with autism in the world (Parsons, McCullen, Emery, & Kovshoff, 2018). The lack of awareness about autism has led to many people misdiagnosing children with autism symptoms (Rowland, 2023). This is fatal, considering that many people with autism are children at their age ready to learn (CDC, 2020). In Indonesia, every child, without exception, including children with disabilities such as autism, has the right to access basic rights as outlined in Law Number 23 of 2002 concerning Child Protection. (JDIHN, Perubahan atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak, 2002).

The prevalence of autism was then clarified through a survey conducted by the Centers for Disease Control and Prevention (CDC). The latest study published in 2020 by the CDC provides information that for every 54 children, there is a child with autism. This data does not even include the exact number of children with autism in the world because it only takes a few samples, with the majority in several states in the United States (CDC, 2020). The World Health Organization (WHO) also estimates that 1 in 100 children in the world has autism (WHO, 2023).

Table 1 – CDC ASD Statistical Data Prevalence 2012-2016

No	Year of Birth	Survey Year	Publication Year	ASD Comparison
1.	2008	2016	2020	1:54
2.	2006	2014	2018	1:59
3.	2004	2012	2016	1:69

Source: *Centers for Disease Control and Prevention, 2020*

These estimates represent average figures, and reported prevalence varies substantially across studies. These estimates do not even include the prevalence of autism in many low- and middle-income countries (WHO, 2023). Hence, it can be concluded that there has been a relatively rapid increase in the level of autism in the world. Therefore, autism is considered a global problem that must be handled by local authorities and even the international community. The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) exists as a protocol to accommodate the fulfillment of the rights of persons with disabilities, including the right to education, which should be a human right.

UNCRPD was adopted by the Economic and Social Council on December 13, 2006, as a form of consistency by the United Nations (UN) to fulfill the basic rights that persons with disabilities should have amidst the onslaught of many cases of discrimination faced by persons with disabilities (Weller, 2011). As an active member of society, the UNCRPD contains 55 articles. Articles that specifically regulate the fulfillment of the right to education for persons with disabilities are included in Article 24 of the UNCRPD (Weller, 2011). This article contains five paragraphs, each of which explains the commitment of state parties to provide opportunities for persons with disabilities to obtain general, quality education and free primary education without exception (UNICEF, 2017). Article 24 also outlines the obligation of state parties to facilitate disability-friendly educational facilities, such as qualified teaching staff, to provide effective teaching to students with disabilities and other appropriate accommodations (UNICEF, 2017).

Indonesia is one of the many countries that agreed to follow the rules of the UNCRPD, which is a convention that protects the rights of people with disabilities. This

means the Indonesian government must make laws and policies to ensure these rights are followed. They also must create notable organizations to ensure these rules are followed correctly. Consequently, the Government of Indonesia issued Law No. 8 of 2016 concerning Persons with Disabilities as a follow-up to the government implementing this Convention. In the case of education, this rule is then implemented by the Ministry of Research, Technology, and Education. Therefore, several legal products that are the responsibility of the Ministry of Education and Culture include (1) Government Regulation Number 13 of 2020 concerning Adequate Accommodation for Students with Disabilities and (2) Regulation of the Minister of Research, Technology and Education Number 46 of 2017 concerning Special Education and Special Service Education. Although administratively legal products have been established to regulate the fulfillment of education for persons with disabilities, in the context of children with autism, the fulfillment of the right to education has not been fully fulfilled. (Priherdityo, 2016).

The most basic things, such as data collection, are still taboo and lack clarity in Indonesia (Priherdityo, 2016). The prevalence of autism in Indonesia is still based on several estimates. As reported by the Ministry of Health during the era of President Susilo Bambang Yudhoyono (2004-2014), there were 475 thousand cases of autism found with a ratio of 1:500 or in every 500 children; there was at least one child with autism in Indonesia (Tempo, 2023). This comparison is then increasing based on the Incidence and Prevalence stated by the Deputy for Children with Special Needs of the Ministry of Women's Empowerment and Child Protection (MWECP) that there has been an increase of at least 500 cases of autism per year from 2010 to 2020 with the calculation of autism being two new cases every year. There are 1,000 population per year and 10 cases per 1,000 (MWECP, 2018). Based on population data released by the Central Statistics Agency (BPS) in 2010, it is estimated that there are 2.4 million people with autism in Indonesia, with a population of 237.5 million people and a growth rate of 1.14%. This estimated number represents the distribution of people with autism from several regions in Indonesia. Suppose we refer to the Deputy for Children with Special Needs of the Ministry of Women's Empowerment and Child Protection (MWECP) statement, namely 1,000 residents per year and 10 cases per 1,000 population. In that case, this number will increase every year (MWECP, 2018).

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Hence, the Indonesian government is actively coordinating efforts to ensure the actualization of fundamental rights for the growing population of individuals with autism. This collaborative initiative concerns coordination among the central government, level I regional governments (provincial and regional administrative governments), and level II regional governments (city regional governments). These coordinated actions align with the hierarchical structure defined by Law Number 22 of 1999. (Bambang, 2013). Therefore, the Regional Government, as one of the actors who has the authority to issue policies and provide adequate facilities to fulfill the community's fundamental rights, must immediately act and create inclusiveness in fulfilling the basic rights of persons with autism equally.

The Regional Government of Makassar City is one of the Level II Regional Governments responsible for creating inclusiveness in its administrative area. This was then stated through Regional Regulation Number 6 of 2013 concerning persons with disabilities. Makassar City itself is the city with the highest number of persons with disabilities in South Sulawesi Province, with around 2,250 persons with disabilities in 2013, and it is estimated to have increased (Umar & Ramadhan, 2018). According to the total number of people with disabilities, based on the estimated ratio of people with autism, which is 1:500, it is estimated that there are around 1,000 people with autism in Makassar City (Bastiana, 2011).

Meanwhile, based on the calculation of estimates by the Deputy for Children with Special Needs of the Ministry of Women's Empowerment and Child Protection (MWECP), namely 1,000 residents per year and 10 cases per 1,000 population, there are approximately 26 thousand people with autism from the entire population aged 5-19 years in 2017 -2020 in Makassar City. In addition, there has been an increase in the

number of children registered with the Association of Parents of Autistic Children in Makassar, which has reached no less than 100 registered autistic children (Interview I, Representative of the Makassar Autistic Parents Association, 2023). However, these increases are not proportional to the number of students enrolled in Data Peserta Didik (Dapodik) in special education units in Makassar City. The number of autistic students registered in special education units was recorded to be only around 196 students (South et al. Office, n.d.). Meanwhile, there is no exact data regarding the acceptance of autistic students in regular schools that have inclusion quotas. However, it is estimated that there are no more than 100 students with autism in regular schools (Interview 2, Representative of Makassar City Education Office, 2023). Based on this background, the writer is interested in researching the manifestation of the UNCRPD on fulfilling the fundamental right to education for children with autism at the age of being ready to learn, especially in Makassar.

## **Methodology**

The research method used in this research is qualitative. Research with a qualitative approach tends to understand symptoms that do not require quantification or do not require definite measurements. Therefore, a qualitative approach tends to seek relative truth. In this case, the qualitative approach can be described in a descriptive analytic manner (McNabb, 2015). The descriptive analytic referred to in the qualitative approach is the description of the analysis by the author through the arrangement of words and descriptions of pictures. Through this qualitative approach, this research will discuss the implementation of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) towards fulfilling the educational rights of children with autism in Indonesia with a case study in Makassar City.

This study used library research with a combination of primary data processing through several interviews in the data collection process. Literature study was used through research sourced from books, journals, articles, official documents, and internet sites related to the research topic. This literature review must provide credible and accountable data. Furthermore, regarding the processing of primary data obtained directly through the in-depth interview method, namely the implementation of interviews that are freer than structured interviews with related parties and relevant to the topic under

study. Some of the informants who became informants in this study included:

- 1) Ni Nyoman Anna, as a representative of the Association of Parents of Autistic Children Makassar
- 2) Hikmah Manganni, S.Pd, M.Pd, as Head of the early childhood and community education division of the Makassar City Education Office
- 3) Jumsiah S.Pd, as Representative of SLBN 1 Kota Makassar
- 4) Hasmiati S.Pd, as the Principal of the Autistic Bunda Makassar SLB school
- 5) Risaldi S.H, as a representative in the field of special education units and services for children with special needs at the South Sulawesi Provincial Education Office

In conducting data analysis, the analytical technique that the writer will use in this study is an analytical technique with a descriptive qualitative approach. The analysis technique uses a qualitative-descriptive method, understood as an analytical technique that is explained through a description of facts based on the information obtained in the research process. Combining the facts obtained will form an argumentative explanation to explain the topic under study.

## Literature Review

*International regimes* are norms, principles, rules, protocols, and decision-making processes related to specific topics or issues. Conca (1996) divides the definition of international regime into two, namely, a narrow definition and a broad definition. For a broad definition, an *international regime* is defined as a pattern of behavior in international relations. Meanwhile, in a narrow sense, it is the state's behavioral efforts to realize collective goals. Krasner (1982) defines an *international regime* as a set of implicit or explicit principles, norms, rules, and decision-making procedures within which actors' expectations converge in a particular field of international relations. From these several definitions, it can be seen that international regimes emerge amidst the dynamics of the global world to form "harmony" towards a value, norm, or belief to achieve collective goals. plus rules, protocols, and decision-making processes related to specific topics or issues. Conca (1996) divides the definition of international regime into two, namely, a narrow definition and a broad definition. For a broad definition, an

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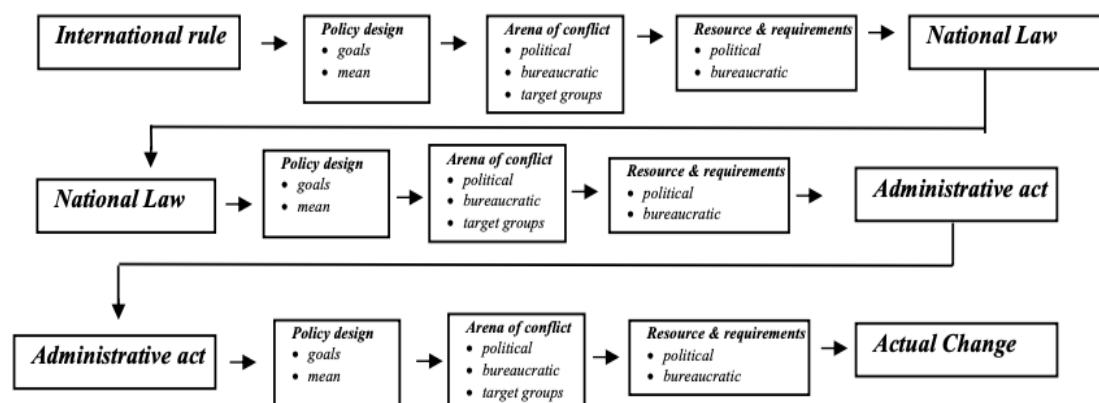
Meanwhile, in a narrow sense, it is the state's behavioral efforts to realize collective goals. Krasner (1982) defines an *international regime* as a set of implicit or explicit principles, norms, rules, and decision-making procedures within which actors' expectations converge in a particular field of international relations. From these several definitions, it can be seen that international regimes emerge amidst the dynamics of the global world to form "harmony" towards a value, norm, or belief to achieve collective goals (Ari, 2018).

Grindle and Thomas (1991), through the book *Public Choices and Policy Change – The Political Economy of Reform in Developing Countries*, explain that the implementation of the international regime is understood as the conceptualization of the policies made, the arena of conflict and the need for sufficient resources for the implementation of an international regime. In contrast to other experts, Grindle and Thomas (1991) are more focused and specific in discussing mechanisms or schemes for implementing international regimes at the domestic level.

In general, the implementation of the international regime can be seen from 3 systematic derivatives, namely in terms of international rules, national laws, and administrative acts (Grindle & Thomas, 1991). This level starts with international regulations, which are rules, norms, and agreements that have been approved and are ready to be implemented by state parties. The second level is national law, a set of policies and rules the central government makes. The last level is the administrative act or level, which includes implementing the international regime at the sub-state level, such as regional, district, and city governments. Each of these derived levels will then experience implementing the international regime from the policy design process, the arena of conflict, and resources and requirements from the international law level to the administrative act level (sub-state level).



Figure 1 – International regime implementation scheme by Grindle and Thomas



Source: The Political Economy of Reform in Developing Countries, Grindle, M. S. and Thomas, J. T., 1991

Policy design is understood as legal products that can be observed and found in laws, programs, and even practices implementing values, norms, and rules. Policy design, in broad, develops efficient and effective policies through applying knowledge of policy means gained from experience and reasons for developing and adopting actions that may be successful in achieving the desired goals or objectives in the context of implementing international regimes.(Grindle & Thomas, 1991). Two aspects support the formation of policy designs: (1) policy goals and (2) policy means. Policy goals explain the things that must be achieved as a result of an international regime and are the result of the formation of an international regime. This will serve as a benchmark for compiling and formulating policies that align with international expectations. Meanwhile, the policy means in question are the strategies set out in policy planning, policy promoters, and the instruments involved in changing habits or producing the desired actual change. Then, these three elements can finally create an intellectual complexity that helps the implementation of a regime. (Grindle & Thomas, 1991).

After that, the arena of conflict is referred to as the balance of the actors involved in implementing the regime and the influence given to the regime and the actors involved so that the regime can be implemented (Grindle & Thomas, 1991). There are three actors involved in the process of implementing the international regime: (1) political actors, (2) bureaucratic actors, and (3) interest groups. The political arena includes actors or elected officials responsible and obligated to make and direct a policy in creating an international

regime. The executive, legislative, and local politicians are involved in this political arena. The bureaucratic arena exists in this conflict arena because bureaucratic actors implement policies. Therefore, the bureaucratic arena helps to see the implementation of the international regime and the roles, responsibilities, and policies carried out by implementing agencies in the bureaucratic arena. National bureaucrats, local administration, and regional bureaucratic officials are actors who carry out regime implementation in the bureaucratic arena. The implementation of a regime can be seen from realizing the values agreed upon in international conventions and becoming the same values as community institutions, so the emergence of input from policymaking originates from community institutions. This arena discusses interest groups, which include these community institutions. Actors included in community institutions are NGOs, local communities, and NGOs (Grindle & Thomas, 1991)

Then, there are resources and requirements to support the implementation of an international regime. Resources in the implementation of the international regime can be referred to as administrative capacity, including funds, personnel, talent, allocation, equipment, knowledge and information, leadership, energy, time, and others. These resources facilitate the creation of an international regime implementation. Therefore, according to Grindle and Thomas (1991), the resources needed to implement the international regime are divided into two types, namely: (1) bureaucratic resources and (2) political resources. Bureaucratic resources, namely the material and technical resources needed to achieve actual results from an international policy or regime so that the implementation of the international regime can run smoothly. In general, bureaucratic resources can be seen from 2 aspects, namely, (1) physical resources or physical needs can be seen from funds, development, and personnel in implementing the international regime, and (2) technical resources or information, awareness, and technical skills. The information in question is that in solving problems related to specific international regimes, actors must understand the issue and be able to find solutions to problems that arise.

Meanwhile, public support and the support of political institutions are political resources for implementing the international regime. This is because support from the public and political institutions creates the realization of community initiatives conveyed

to strong political institutions. So that it will facilitate the mobilization of the implementation of an international regime (Grindle & Thomas, 1991)

### **Implementation of the Convention on the Rights of Persons with Disabilities towards Fulfilling the Educational Rights of Autistic Children in Makassar City**

According to Grindle and Thomas, the implementation of the international regime is conceptualizing the policies, the arena of conflict, and the need for sufficient resources to implement an international regime. Therefore, the following is the implementation of the UNCRPD international regime to fulfill the right to education for children with autism in Makassar City based on the concept of regime implementation from Grindle and Thomas.

#### ***Policy Design***

In implementing the international regime, Policy Design is the first step that must be passed (Grindle & Thomas, 1991). Policy design is understood as legal products that can be observed and found in laws, programs, and even practices implementing values, norms, and rules (Grindle & Thomas, 1991). In the context of UNCRPD implementation related to fulfilling the educational rights of persons with autism in Makassar City, this concerns the issuance of Makassar City Regional Regulation Number 6 of 2013 concerning Fulfillment of the Rights of Persons with Disabilities issued by the Regional Work Unit and the Regional People's Representative Council of Makassar city. This is because the text of the regional regulation contains Law Number 19 of 2011 concerning the Ratification of the Convention on the Rights of Persons with Disabilities as the legal basis and other regulations mandated by the central government (JDIH, 2013).

In particular, the fulfillment of the right to education is also discussed in this regulation, specifically in articles 11 and 12 concerning education for persons with disabilities. This includes educational mechanisms for children with autism, considering that children with autism are included in a type of developmental disability. Article 11 discusses the mechanism for inclusive education and special units. In contrast, Article 12 discusses proper accommodation for the education of persons with disabilities under the central government's mandate in PP No. 13 of 2020 concerning reasonable accommodation for disability education (JDIH, 2013). In analyzing policy design, Grindle and Thomas argue that there are two aspects to support the formation of a policy design: (1) policy goals and (2) policy means.

First, policy goals explain things that should be changed and achieved due to an international regime, and they are the final goals expected to establish an international regime. Then, it will be assisted with other objectives to appropriately implement a regime in an area (Grindle & Thomas, 1991). In the context of implementing the UNCRPD towards fulfilling the education rights of children with autism in Makassar City, the Regional Work Unit (SKPD) and the Makassar City DPRD have made statutory regulations, namely regional regulation Number 6 of 2013 concerning Fulfillment of the Rights of Persons with Disabilities, to be precise, articles 11 and articles 12 which specifically discusses education (JDIH, 2013).

The article explains that the things that the local government of Makassar City wants to change are forms of discriminatory treatment for persons with disabilities in the scope of education so that children with disabilities have equal opportunities to obtain equal educational rights. In the case of education for children with autism, through this regulation, it is hoped that there will be changes in discriminatory forms in the form of rejections that occur into acceptance of children with autism in schools, both inclusive schools and special education units, as well as providing accommodations that support children's education. Following Article 24 of the UNCRPD, people with autism must comply with nondiscrimination education, reasonable accommodations, access to primary and secondary school, and the availability of qualified teachers. (UNICEF, 2017). This change also relates to the things to be achieved, as explained in Article 10 of this regulation. The first thing that the local government of Makassar City wants to achieve is equality and equal opportunities in the field of education for persons with disabilities, including children with autism. (JDIH, 2013).

Secondly, policy means are understood as the goal of the international regime, and there are three elements, namely strategy, promoter, and instrument to change habits (Grindle & Thomas, 1991). In the context of UNCRPD implementation of fulfilling the educational rights of children with autism in Makassar City, based on the Makassar City regional legislation number 6 of 2013 concerning Fulfillment of the Rights of Persons with Disabilities, especially in Articles 11 and 12, it is explained that the Makassar City government has designed an equal education mechanism towards students with disabilities at all levels of education and educational units. This mechanism is a derivative of mechanisms mandated by the central government, such as regulations regarding

appropriate accommodation mandated by the Ministry of Education and Culture, which are discussed in Article 12 of this regulation. Then, the promoters who are responsible for implementing UNCRPD to fulfill the right to education for autistic children in Makassar City are the regional government of Makassar City, the Regional apparatus unit of Makassar City, the Makassar City Education Office, and related disability education foundations.

However, those at the forefront of UNCRPD implementation are the Makassar City Regional Apparatus Unit and the Makassar City Education Office, which are government instruments specifically responsible for related fields. This also applies in the context of education for children with autism. Regional apparatus and the Makassar City Education Office must promote all forms of equality and fulfillment of opportunities in accessing education for children with autism in Makassar City (JDIH, 2013). This was finally implemented through policies such as the inclusion of New Student Admissions, where children with disabilities with mild disabilities have rights and opportunities to gain access to education in regular schools (JDIHN, 2020).

### *Arena of Conflict*

According to Grindle and Thomas, the second process in implementing international regimes is the arena of conflict. Basically, the arena of conflict discusses the balance of the actors involved in implementing the regime and the influence given to the regime and the actors involved so that the regime can be implemented (Grindle & Thomas, 1991). The existence of the arena of conflict in the process of implementing the regime is significant because the main actors are the ones carrying out the implementation (Grindle & Thomas, 1991). Several types of actors have been identified, according to Grindle and Thomas, as (1) political actors, (2) bureaucratic actors, and (3) interest groups or NGOs. In terms of implementing the UNCRPD towards fulfilling the educational rights of children with autism in Makassar City, there are several actors involved based on these three identifications, namely: (1) political actor, (2) bureaucratic actor, and (3) interest group.

The first one is political actors. In looking at the implementation of the international regime in the regions, there are decisions and responsibilities for elected officials to make and direct a policy to create regime implementation. The executive, legislative, and local

politicians are involved in this political arena. (Grindle & Thomas, 1991). So, in the context of UNCRPD implementation in Makassar City in fulfilling the educational rights of children with autism, there are three political actors, namely: (1) the Mayor of Makassar City, and (2) the Regional People's Representative Council (DPRD) of Makassar City. These two actors have the responsibility and authority to provide education by the mandate given by the central government. Based on the flow of implementing the international regime, the two actors are responsible as actors who serve as actors in policy making. This was realized in the creation of Makassar City Regional Regulation No. 6 of 2013 concerning the Fulfillment of the Rights of Persons with Disabilities by the two political actors. In addition, in the context of persons with autism, the Mayor of Makassar in 2016 took the initiative to carry out a campaign entitled "Gammara Autism," or the autism care movement in Makassar City. This campaign aims to socialize education about autism in the community. With education about autism in society, acceptance of children with autism, including in the field of education, will be more unrestricted (Farisal, 2016).

Meanwhile, In the bureaucratic arena, to see the implementation of the international regime, there are roles, responsibilities, and policies carried out by implementing agencies in the bureaucratic arena. National bureaucrats, local administrations, and regional bureaucratic officials are actors who carry out regime implementation in the bureaucratic arena (Grindle & Thomas, 1991). In terms of UNCRPD implementation towards fulfilling the right to education of children with autism in Makassar City, several actors belong to the identification of bureaucratic actors, namely: (1) Makassar City Education Office and (2) South Sulawesi Provincial Education Office. This is motivated by the division of authority at the level of education between the city government and the provincial government, which is regulated in Law Number 23 of 2014 concerning Regional Government, especially Article 12, that there is a division of tasks and responsibilities at each level of education. The Makassar City Education Office is responsible for Early Childhood Education to Junior High School education (Interview 2, Representative of the Makassar City Education Office, 2023). Concurrently, the Provincial Education Office is responsible for senior high school education and special education units (*Sekolah Luar Biasa*) (Interview 5, Representative of the South Sulawesi Provincial Education Office, 2023).

However, these two agencies are still connected in implementing inclusive education in Makassar City. For example, in several policies regarding inclusive learning mechanisms in inclusive schools and special education units, the South Sulawesi Education Office provides a derivative mandate from the central government to urban regional governments, including Makassar City. Therefore, there are similarities in several education mechanisms, even though they have responsibilities at the local level for different education. They are included in the disability education mechanism. For example, the Makassar City education office is responsible for inclusive education at the levels of early Childhood Education (PAUD), Elementary Schools (SD), and Junior High Schools (SMP) in Makassar City, as well as the South Sulawesi Provincial Education Office which is responsible for inclusive education at the senior high school (SMA) and disability education levels in special education units or special schools (SLB) in South Sulawesi, including Makassar City. In this case, Inclusive and special education are included in the education of children with autism in Makassar City.

These two actors also manage the budget as a technical resource in inclusive and special education. In 2011, the central government mandated the provincial government to distribute financial assistance to children with autism in the amount of Rp. 2.5 million per person was channeled directly from the South Sulawesi Provincial Education Office to school units with autistic students (Daniel, 2011). Meanwhile, the Makassar City Education Office is a bureaucratic actor that receives the Regional Expenditure Budget (APBD) in the education sector, which will be allocated to inclusive schools to support the fulfillment of the educational rights of children with disabilities, including children with autism (Ramadhan, 2020).

Subsequently, NGOs play an input role in policy making and become actors who directly feel the impact of policies issued by local governments (Grindle & Thomas, 1991). In terms of implementing the UNCRPD towards fulfilling the education rights of children with autism in Makassar City, the NGO involved is the Community of Parents of Autistic Children in Makassar City (POAAM). POAAM is the only community advocating social assistance to persons with autism in Makassar City (Interview 1, Representative of the Association of Autistic Parents Makassar, 2023). In terms of education, POAAM usually provides financial assistance to parents with autism who have limited funds to send their children with autism to school. In addition, training on

autism education is conducted by POAAM. However, until now, there has been no special coordination or cooperation between government agencies and POAAM regarding fulfilling the educational rights of children with autism in Makassar City (Interview 1, Representative of the Association of Autistic Parents Makassar, 2023).

### ***Resource and Requirements***

The formation of an international regime and the existence of actors who run an international regime are not enough for the implementation of an international regime. There is a need for sufficient resources to implement the international regime. Resources in the implementation of the international regime can be referred to as administrative capacity, including funds, personnel, talent, allocation, equipment, knowledge and information, leadership, energy, time, and others (Grindle & Thomas, 1991). These resources facilitate the creation of an international regime implementation. Grindle and Thomas divided the resources in the process of implementing the international regime, namely, (1) bureaucratic resources, which include physical resources and technical resources, and (2) political resources. So, in implementing UNCRPD towards fulfilling the right to education for autistic children in Makassar City, some of these resources include (1) bureaucratic and (2) political resources.

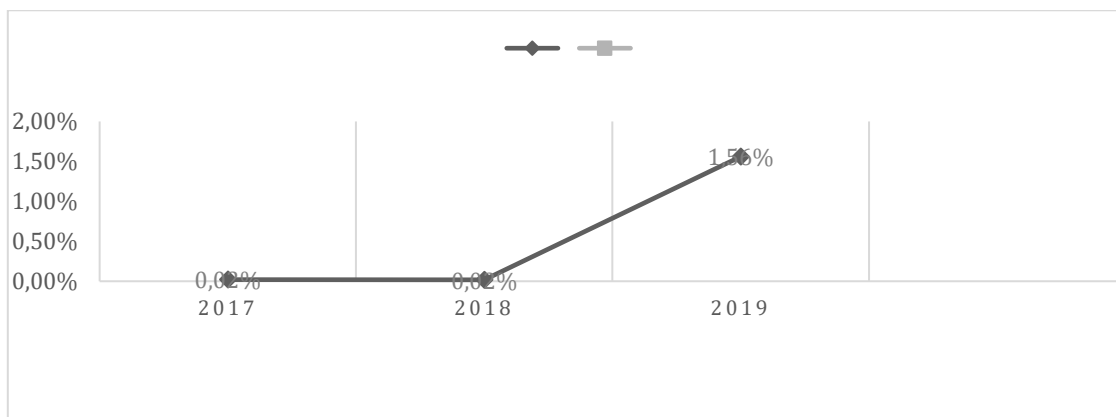
Bureaucratic resources are technical materials needed to achieve accurate results from an international policy or regime so that the implementation of the international regime can run smoothly (Grindle & Thomas, 1991). Bureaucratic resources are divided into two parts, namely: (1) physical resources and (2) technical resources. Physical resources that describe the material needed in implementing a policy (Grindle & Thomas, 1991). According to Knoepfel (1991), in implementing an international policy or regime, "*without finance to pay salaries, accommodation, offices and equipment, effective implementation of the public and policies is not possible.*" From the explanation given by Knoepfel as a policy and implementation researcher, finance is a basic thing that must be met to create a smooth implementation because finance implementation is helpful for salaries, development, equipment, accommodation, and supplies related to the implementation of international regimes and policies (Grindle & Thomas, 1991). So, the physical resources in the implementation of the UNCRPD towards fulfilling the rights of persons with disabilities in Makassar City are matters relating to the allocation of funding



that supports the cost of education and accommodation of particular teaching and learning equipment for children with autism, both in the infrastructure and non-infrastructure sectors.

In the field of infrastructure, the local government, through the Makassar City Education Office, must ensure the availability of facilities and infrastructure, including school buildings, learning tools, and other facilities that support the learning of children with disabilities. In the non-infrastructure sector, the regional government, through the Makassar City Education Office, includes the availability of teaching staff skilled in handling inclusive classes and the provision of special companion teachers for students with disabilities (Ramadhan, 2020). Children with autism need a supervising teacher in the educational process. However, this has not been appropriately fulfilled in the context of its implementation in Makassar City. There are still many schools that do not provide special guidance teachers. If there is, parents must incur additional costs (Interview 1, Makassar Autistic Parents Association Representative, 2023). The budget allocated to the Education Office is the highest compared to other Regional Apparatus Organizations (OPD). The Education Office receives around 25% of the Makassar City budget (Ramadhan, 2020).

Figure 2 – Percentage of education budget for disability issues in Makassar City



Source: Regional Regulation Analysis on Makassar City Realization APBD 2017-2018, Makassar City's main APBD 2019.

Regarding disability issues, the spending budget allocated to the education office in 2017 and 2018 was only around 0.021% and 0.018%. The Education Office's budget for disability issues from 2017 to 2018 decreased by Rp. 14,460,000, or around 8.22%. However, a significant increase occurred in 2019, an increase of 87.72% or the total

budget related to disability education reached fourteen billion rupiah because of the school rehabilitation program. For more details, the following is a graph showing the allocation of funds by the Makassar City Education Office regarding the issue of disability education (Ramadhan, 2020).

In addition to the budget allocated by the Makassar City SKPD, the budget regarding scholarships aimed at Autistic students in Makassar City by the Provincial Government is also included in the source of funds that supports the implementation of fulfilling the education rights of autistic children in Makassar City (Interview 5, Sulawesi Provincial Education Office South, 2023). This budget is distributed directly by the South Sulawesi Provincial Education Office to schools and special education units that have data on students with autism. The total acceptance received by each autistic student is 2.5 million per student (Interview 5, South Sulawesi Provincial Education Office, 2023). However, the reality is based on the results of interviews from the Association of Parents of Autistic Children Makassar (POAAM) that most children with autism do not receive this assistance (Interview 1, Representative of the Association of Autistic Parents Makassar, 2023). This is motivated by several things, such as data on children with autism in Makassar City, which is still unclear and only based on estimation (Interview 1, Representative of the Association of Autistic Parents Makassar, 2023). Then, there was government inconsistency in providing financial assistance, or financial aid was only given in the year the program started. There has been no further follow-up regarding the funding assistance process (Interview 5, South Sulawesi Provincial Education Office, 2023).

Meanwhile, technical resources can be observed in how information related to policies issued by the government is conveyed to solve existing problems (Grindle & Thomas, 1991). In looking at the extent of the implementation of an area in terms of technical resources, it can be seen through the existence of information as the production of technical data available for policymaking on problems that must be overcome. Information, awareness, and technical skills are within technical resources. The technical skills referred to in this case are professional experts in the field related to the problems that exist in the policy. Then, it will be paid through physical resources described previously (Grindle & Thomas, 1991).

In the context of UNCRPD implementation towards fulfilling the educational rights

of children with autism in Makassar City, technical resources in the form of awareness information are still minimal in the implementation process. Even though in 2016, the Mayor of Makassar created a "Gammara Autism" campaign to introduce autism education and issues to the people of Makassar City, this did not last long. Many community groups in Makassar City still do not understand and obtain information about the existence of autism itself (Interview 3, Principal of SLB Autism Bunda Makassar, 2023). In addition, data collection on the number of children with autism is still based on national estimates without being followed by exact numbers of the total number of people with autism in Makassar City, which also illustrates that the local government has not paid attention to this issue. This has an impact on the handling of children with autism in all aspects of life, including education. Even though the fulfillment of rights has been regulated administratively through laws and regulations, due to a lack of information and education, awareness and rejection of children with autism in Makassar City still occur in schools (Interview 1, Representative of the Association of Autistic Parents Makassar, 2023). This ultimately impacts human resources with technical skills in inclusive education. Because this issue does not receive more attention, many schools are still experiencing obstacles in facilitating students with autism to provide school staff, teaching staff, or other resources who have technical skills in fulfilling the education of children with autism (Interview 3, Principal of SLB Autism Bunda Makassar, 2023).

Then, political support. Public support and the support of political institutions are political resources that can help implement the international regime. This is because support from the public and support from political institutions creates the realization of community initiatives delivered by strong political institutions (Grindle & Thomas, 1991). In context In the context of UNCRPD implementation towards fulfilling the educational rights of children with autism in Makassar City, political support can be in the form of information dissemination assistance through the Mayor or certain agencies related to autism. As previously explained, in 2016, the Mayor of Makassar created a campaign entitled "Gammara Autism" to introduce autism education and issues to the people of Makassar City (Farisal, 2016). This campaign is hoped to bring about many changes to the fulfillment of the rights of autistic children, especially in education (Farisal, 2016). In this case, political support can also be in the form of financial assistance from the provincial education office for children with autism. Although these

programs are not being continued, they present government initiatives as technical implementers regarding awareness of children with autism in Makassar City.

## **Conclusion**

The UNCRPD implementation of the fulfillment of the right to education for children with autism in Makassar City is an example of a top-down process of implementing an international regime. It is the implementation of an international regime that binds the state, and then the state implements it at the regional level to bring about the desired changes through the international regime. The UNCRPD legally binds Indonesia since the ratification by Indonesia and the process of carrying out the mandate, which was carried out through passing Law no. 19 of 2011 concerning ratification of the Convention on the Rights of Persons with Disabilities, which then produces legal products according to related fields.

Overall, the City of Makassar has attempted to implement the UNCRPD to fulfill the right to education for children with autism. This can be seen from the policy design points where the regional government has issued related policies and regulations. However, there are several obstacles in terms of bureaucracy, such as in education, information dissemination, and the lack of education staff with technical skills in inclusive and special education for children with autism. Therefore, the authors suggest that the Makassar City Government, especially those responsible for education, prepare both physical and technical resources properly, conduct autism education training, and hold fair and reasonable allocations for education.

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