

State's Efforts to Ensure Social Inclusion of PWDs: Theory and Practice

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The study under review discusses the multifaceted challenges and underlines the societal attitudes that bars the social inclusion of persons with disabilities (PWDs) in Pakistan's socio-political and socio-cultural context. The domain of disability rights is very complicated to define as in our society most of the time the PWDs are treated as the disabled ones rather instead of a productive human resource with diversity. The prevailing social attitude treats the PWDs with sympathy and considers them for charity as a general belief that charity to these people will benefit them on the day of judgement. Pakistan's first disability-related legislation 'The disabled People (Employment and Rehabilitation) Ordinance 1981 concentrates on medical treatment and rehabilitation. However, later on, successive governments have taken several measures such as signing and ratifying the UNCRPD, amending the law, enhancing the quota, establishing councils, introducing training opportunities, and introducing subsidies on local transport, railway and air tickets, and free education. This research study highlights the factors that are preventing the social inclusion of PWDs and increasing their vulnerability to living on the margins of their lives. Simultaneously, the study discusses multiple dimensions that are imperative for PWDs' dignity in society and steps to ensure social inclusion as accord to the international framework of disability rights.

1. Introduction

The issue of social inclusion of persons with disabilities is a global phenomenon which has attracted the attention of [not the civil society actors but also] the authorities and decision-makers. Despite the efforts of the United Nations and many other international forums, the group of persons with disabilities are still subject to discrimination, exploitation, and stigmatization resultantly excluded from the social mainstream. This is the primary reason that the PWDs are invisible in social, economic, and political domains. It has been observed that societal attitudes, misconceptions related to disability, and social stereotypes have made this segment of the society disabled to take part in social as well as developmental activities.

2. Literature Review

The term disability has fascinated several research scholars who produced plenty of material shedding light on the different aspects of persons with disabilities and social interaction. During the research study under review, the narrative of Robert M. Baird, Robert M. Baird, Stuart E. Rosenbaum and S. Kay Tooms, given in their book *“Disability: The Social, Political, and Ethical Debate (2008)”* is a great source to understand the wide range of debates around socio-political and ethical issues concerning those people who are experiencing diverse kinds of disability or disabilities. These writers have provided vivid and concrete information about the movement for the promotion and protection of disability rights, findings of several research studies regarding disability issues and social policy relative to disability (Kanter, 2014).

In a similar manner, Doris Fleischer and Frieda Zames compiled hundreds of interviews of disability rights activists and clubbed them in *“The Disability Rights Movement: From Charity to Confrontation (2011).”* Through this book the writers provided in-depth knowledge about the effects and impacts of World War II that dragged the attention of the globe to think about disability, consequently, the medical model was introduced (Fleischer & Zames, 2011).

“The Development of Disability Rights Under International Law: From Charity to Human Rights” (2014) is the literary endeavour of Arlene S. Kanter which was published by Routledge. The book claimed the year 2006 as an important one that introduced the Convention on the Rights of People with Disabilities (CPRD) by the United Nations which became the first ever binding treaty concerned with the rights of PWDs. The writer defined the travel history and paradigm shift from a charity-based model to a rights-based model that sensitized the globe to recognize PWDs as complete human beings with certain rights and obligations. The book explored the social status of the PWDs under the International Legal Framework. Through several case studies, the book revealed the role of domestic legislation in line with CRPD in order to mainstream PWDs on an equal basis with equity. The research gap in this literature review is that it has not discussed the social inclusion of Persons with Disabilities. No doubt, this book is an excellent reference as well as resource material for the students, and researchers who are working for/on the rights of Persons with disabilities (Kanter, 2014).

“Disability and Human Rights: Global Perspectives 2015th Edition” is jointly edited by Edurne Garcia Iriarte, Roy McConkey and Robbie Gilligan. This reveals that there exist more than one billion people in the world, and disability is gaining much importance and attention internationally. The book has provided complete knowledge by exploring the dimensional approaches worldwide and critically reviewed the development of the Convention on the Rights of Persons with Disabilities (CRPD) and its implementation. The writers provide in-depth knowledge about the issues faced by the PWDs in key areas of ‘Human Rights’ such as ‘health’, ‘education’, ‘employment’, ‘accessibility’ and ‘independent living’. The book demonstrated the issue of social exclusion and described the remedies to achieve full and equal participation of PWDs in society. The book is full of several case studies and examples for reflection that ultimately contribute to increasing knowledge and enhancing understanding. The book is a very good source of information for students and practitioners with different backgrounds including ‘disability studies’, ‘human rights’, ‘social work’ and ‘social care’ in order to learn about the new global perspective on disability (Iriarte, McConkey , & Gilligan , 2015).

“What We Have Done: An Oral History of the Disability Rights Movement” (2012) is the collection of responses of PWDs by Fred Pelka which was published by the University of Massachusetts Press. ‘Nothing about us without us’ has been the ultimate demand which was the base of the disability movement. The book has recorded the responses of large numbers of PWDs who defined their life experience and how non-disabled people treat the PWDs. The book reveals that non-disabled persons believe that PWDs are subject to be treated with sympathy and pity and that PWDs are unable to make decisions regarding their lives. So, non-disabled people decide about the policies and procedures relating to PWDs. The writers amplify the voice of the disability rights activists and recount how different movements influence the decision-makers to promulgate legislation concerning PWDs. The book reveals the practices of excluding PWDs from the political process and proves that issues of PWDs are purely political ones and due to the exclusion from the political process, the PWDs are living on the margins of life. Such attitudes forged a strong movement of PWDs demanding civil rights, women's rights and gay rights movements (Pelka, 2012).

“The Nonviolence Handbook: A Guide for Practical Action” (2014) by Michael N. Nagler which was Published by Berrett-Koehler Publishers in California. Generally, it is assumed that the term ‘Non-Violence’ is specifically used by the weak segment of society but the writer through the book negated such ideas and thinking and defined that ‘Non-Violence’ in fact calls for an ‘Uncommon Kind of Strength’. The writer guided through this book how the movements can use the ‘Non-Violence’ techniques in order to confront hostility and to build ‘Change Movements’ in order to restructure the bedrock of society. The writer discussed the unsuccessful non-violent actions due to some ‘Tactical Mistakes’. The writer included both flavours in this book by discussing the successful and unsuccessful non-violence movements. The writer concluded the book by defining nonviolence more than tactics. The book also defines that nonviolent is a way of living that builds our personality to act in as non-violent manner in all kinds of circumstances (Nagler, 2014).

"The Capacity Contract: Intellectual Disability and the Question of Citizenship" (2015) by Stacy Clifford Simpican which was published by University of Minnesota Press. The book is a sustained inspection of disability by using the political theory's lens. The book defined the shape of democratic politics by excluding the PWDs. The writer described how 'Democratic Theory' and 'Politics' have kept away the PWDs from 'Political Citizenship' and increased their marginalization. The research gap in this literature review is that it only focuses on the issue but not give the solution while this research report will give be based on the accessibility and will give recommendations. The writer's convincing 'ethnographic analysis' of the 'self-advocacy movement' defined the hindrances in the way that the movements faced (Simpican, 2015).

"Disabled People (Employment and Rehabilitation) Ordinance 1981" is the first legislation promulgated in 1981 after the 'National Census' in response to the 'First Disability Decade' announced by the United Nations Economic and Social Commission for Asia and Pacific (UNESACP) in order to accommodate the 1.46% population of persons with disabilities in Pakistan. This mentioned legal document explains the role and responsibilities regarding the rehabilitation and employment opportunities for persons with disabilities. Furthermore, this legal document bears the definitions and types of impairment/s to accept as disabilities and available government facilities and criterial to access the reserved facilities (The Government of Pakistan, 1981).

"Disabled People (Employment and Rehabilitation) Ordinance 1981 (Amendment Act 2012)" is a very interesting development in the Punjab province in which the provincial government incorporated the structural and systemic changes after the '18th Constitutional Amendment in Pakistan'. The Province Council for Rehabilitation of Disabled Persons is strengthened to deal the persons with disabilities and authorised to receive the complaints regarding the issues of persons with disabilities to address adequately (The Government of Pakistan, 2012).

"Disabled People (Employment and Rehabilitation) Ordinance 1981 (Amendment Act 2015)" is another milestone by the government of Punjab in which the provincial government enhanced the from 2% to 3% reserved quota and also introduced multiple facilities including scholarships for education, free medical facilities, monetary benefits and etc. for Persons with Disabilities (The Government of Pakistan, 2015).

"The Punjab Social Protection Authority Act 2015" is generally known as the 'Punjab Khidmat Card Scheme' concerned with providing monetary funds to persons with disabilities. Furthermore, the registration process of Persons with Disabilities is also relaunched under the mentioned authority to have knowledge about the approx. the population of persons with disabilities.

"Policies for Persons with disabilities in Pakistan, An Analysis of Policy Implementation", published in February 2011 in Berkeley Journal of Social Science, is the perspective of *Dr Mughees Ahmad, Head of the Department of Political Science and International Relations*, regarding the policy-making and implementation machinery towards persons with disabilities. Besides presenting a historical, analytical and comparative analysis,

the study also aims to compile preliminary information regarding the available facilities for persons with disabilities. Furthermore, the study is also a very successful attempt to identify grey areas in the policies and implementation for proposing practicable suggestions for the improvement of the situation of persons with disabilities.

“A Study on Women with Disabilities: Key Findings and Recommendations” to Bridge the Policy Gaps was conducted by Ms. Ayra Inderyas and Ms. Shazia George on behalf of the Association of Women for Awareness & Motivation (AWAM), a human rights organization, in 2018. The study reveals the situation of persons with disabilities in general and women with disabilities in specific regarding their civil political rights and social acceptance. The portions of analysis of the said study bear the findings regarding the political participation of persons with disabilities and the state’s response to international commitments. On the contrary, the portion of recommendations is calling upon the government to adopt practical measures to enhance the visibility and social acceptance in all avenues of social life including politics, and persons with disabilities (Inderyas & George, 2018).

“Moving from the margins, Mainstreaming persons with disabilities in Pakistan” is a custom research report produced for the British Council in August 2014 examining the challenges, opportunities and policy issues affecting 27 million Persons with Disabilities (PWDs) in Pakistan. Though, the portions of ‘Executive Summary’ and ‘Analysis’ expose the exclusion of the PWDs from different fields of life due to which the country facing economic loss at the same time the study proposes practical steps to utilize the energies and abilities of this marginalized section of the community to have the increased annual Gross Domestic Product (GDP).

“The Rights of Persons with Disabilities to Participate in Decision-Making” is the study of Ms. Catalina Devandas, the Special Rapporteur on the Rights of Persons with Disabilities, to be presented at the 31st session of the Human Rights Council, held in March 2016. The Special Rapporteur invited the inputs from Member States, International and Regional Organizations, UN Agencies, Disabled People Organizations (DPOs) and other concerned stakeholders. The *Association of Women for Awareness and Motivation (AWAM)* presented the perspective of persons with disabilities from Pakistan.

“Disability Inclusive Policy” is another study of the Special Rapporteur, Ms. Catalina Devandas, on the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) for the 71st Session of the General Assembly in October 2016. The Governments, Agencies, International Stakeholders, Civil Society Groups and Persons with Disabilities submitted their input.

‘Nothing About Us Without Us: Disability Oppression and Empowerment’ (2000) is the publication of the University of California by the author James I. Charlton. The author produced a reasonable resource in order to highlight disability oppression. According to the author ‘Disability oppression’ is deeply rooted in ‘dependency’, ‘degradation’, and ‘powerlessness’ due to which ‘five hundred million’ PWDs throughout the world are affected. The mentioned book is the first resource included in the literature that provided a ‘theoretical

overview' of disability oppression that differentiates its similarities and differences from 'racism', 'sexism', and 'colonialism' (Charlton, 2008).

The author conducted his analysis through in-depth interviews of PWDs from the third world, 'Europe' and 'The United States' and the whole exercise took a period of ten years. The interviews were conducted to collect the stories of 'self-reliance' and 'empowerment' in order to refresh the consciousness of disability rights activists with new tools and techniques. Though the movement of PWDs for their rights emerged with delay but gained visibility, importance and space at prominent forums however the author's works further contributed is a value addition in the literary. The book is based on the conviction that persons with disabilities know better than what is suitable for them rather than non-disabled people. Hence, all the policies and statutes would be a futile exercise if the process did not involve the PWDs.

3. Research Methodology

The research study completed the perspective by adopting an empirical approach based on the comparative method that assessed the legal framework in the light of the Convention on the Rights of Persons with Disabilities and identified the lacunas and grey areas. Secondary data sources such as research studies of DPOs, journal articles, lawsuits (including legal documents), administrative notifications, and other affirmative measures were compared to identify the major gaps and to suggest the way forward to improve not only the legal framework but also ensuring the disability friendly environment in terms of accessible infrastructure.

3.1 Research Gap Analysis

There is no doubt that plenty of information is available regarding the disability. However, during the survey of the literature, it has been identified that a very limited attention is given to the issue of accessibility to dedicated and reserved facilities, and political participation. The research study under review specifically discusses the socio-cultural and socio-political context by highlighting the myths and stereotypes associated with the term disability. In addition to it, the researcher also observed the efforts of the successive governments regarding ensuring compliance and further assessing the situation of rights of persons with disability in theory and practice.

Though in the literature review, the material is taken from international sources where a small amount of information was available related to Pakistan's context, I have consulted the notifications time to time issued by the administration [federal and provincial], and interviewed the disability rights activists, and studies the legislation. As the research topic is limited to Pakistan's context, therefore, the local movements, organizations of/for persons with disabilities, international reports to the UN Committee submitted by Pakistan, and interviews of persons with disabilities and their family members provided ample material to conduct analysis of the situation.

4. Analysis

4.1 International Standards of Disability Rights

The first disability decade in the 80s is the era that gave a new shape to disability movement and paved the way for disability movements across the globe (BCODP, 1997). The announcement of disability decade spawned out several new debates on the issue of disability rights as after the II World War the graph of persons with physical disabilities has swollen and it has exposed the atrocities of the war. Such context further highlighted the complexities of accommodating persons with disabilities in the social infrastructure that never be designed in the perspective of persons with disabilities. During that era, the rehabilitation model was in trend in which the artificial limbs, wheelchairs and other assistive devices were the focus of philanthropists, charitable organizations, and other organizations.

Gradually, the community of persons with disabilities realized the fact that they are social excluded and the authorities and political parties are not taking them on board while forming the policies and taking measures for the social development. Such context made the disability community united their voices resultantly a slogan ‘Nothing About Us Without Us!’ amplified (McGettrick, 1994). This global movement started to influence the general perception of the general masses about the term disability and created such conducive environment for social inclusion of the persons with disabilities.

Navigating from several phases, the disability movement entered into a new era of globalization after the year 2000 when the people started to consider the intersectionality. The United Nations (UN) engaged the multiple stakeholders in the process of drafting of an exclusive convention ‘United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)’ which was introduced for the sign and ratification in 2006. This gesture established a narrative of human rights for all irrespectively and encourage the state parties for adopting the model and ensuring the social inclusion of the persons with disabilities in all spheres of life. The disability equality index was introduced by a third-party resource in 2015. It has started to benchmark the plight of the rights of persons with disabilities specifically monitoring the equal access to public building and places, reserved facilities, and dedicated services for citizens.

4.2 Salient Features of the Convention

The Convention come up with so many benefits. It grants an accepted world legal structure on disability rights which strengthens the content of human rights principles and their appliance to the situation of persons with disabilities with disabilities and thus enables them to authorities and make powerful domestic policies framework of the countries. The cross-checking methodology is adopted by the United Nations by exerting the responsible bodies to implement the law on paper into the system (Broderick, 2015). The parameter of assessment is also made transparent and encourages public indulgence in the law system thus strengthening the persons with disabilities rights by spreading awareness of their worth to society on a massive scale. The agreement has recognized the importance and rights of special individuals on a global scale and claims that sexual harassment and victims of sexual abuse lie largely in special individuals especially in their age because of the abnormal traits the flesh-lover animals use to take advantage of those innocent and thus strict punishment are made under the law by

not compromising in the inhumane act on special individuals and making special one not to be victimized by any infection like HIV and AIDS (Smith, Huff, & Wescott, 2024).

The agreement furthermore provides a framework of the state's independent structures responsible and required for its implementation and monitoring. Persons with disabilities are empowered for countries to endorse the elective Protocol to the Convention, and a body of experts will be able to consider complaints from individuals or groups on inadequate implementation of the contract. The special individuals by this convention are empowered with a smart toolkit the representation in government offices and someone like them to speak on their behalf is such a thing to give voice to in the context of many underdeveloped poor countries

4.3 Pakistan's Compliance to UNCRPD

Regarding it, Pakistan has signed the convention in 2008; consequently, ratified it in 2011 with commitment to translate the model of UNCRPD into domestic legal framework. Though, the progress to comply it fully is questionable; however, such gesture by the state stimulate the civil society actors and other human rights professionals (Anthony, 2018).

During the phase of completion of this research study, a general social problem related to persons with disabilities is that despite several amendments in law, exclusive councils and committees at the government level, and dedicated departments, in Pakistan the social behavior towards PWDs and the derogatory terms associated with the disability – such as deaf, dumb, handicapped, blind, and mentally handicapped, are denying their dignity. It is exposed that the laws and policies are limited to the papers and not translated into practical actions yet.

4.4 Socio-Cultural Context of PWDS

“Disability is a stigma in Pakistan, and culture norms are a hindrance to [inclusion],” says Farooq A Rathore, a faculty member at the CMH-Lahore Medical College. In the deeply conservative circles of Pakistani society, a person who is born with or develops a disability may be perceived as suffering from an affliction from God. The family can often retreat into a state of shame, fearing that they have been punished for some misdeed or placed in adversity as a test of their faith. The stigma is so potent that families can resort to hiding their children, or in cases where the disability is mild or less visible, deny that there is any disability at all.

4.5 Invisible

In Pakistan, PWDs face social stigma and neglect, denying them access to essential services and opportunities. Children with disabilities are often limited to their homes or sent to religious schools with limited educational support. This exclusion is particularly evident in rural areas like Punjab, where children with hearing or intellectual impairments are kept indoors, away from societal integration.

The children with disabilities in Karachi are restricted at home, reflecting a sympathy-based societal view rather than one of equality and inclusion. The urban areas also perpetuate a charity-focused approach, highlighting visible disabilities while neglecting those less apparent, such as hearing or intellectual impairments. These challenges in the inclusion of

PWDs call for policy reforms to ensure inclusive education, accessible services, and a culture that values and empowers PWDs, fostering a more equitable and inclusive society in Pakistan. Political gestures of support often amount to public distributions of wheelchairs or canes, reinforcing a hierarchy among disabilities where the most visible receive the most attention. Meanwhile, those with less visible or hidden disabilities, such as hearing, visual, or speech impairments, receive scant consideration. Individuals with mental disorders, in particular, face severe neglect in society.

4.6 Use of Inappropriate Words for PWDs

In Pakistan, derogatory terms like "crippled" and "mentally handicapped," are used for persons with disabilities. Globally, there has been a shift towards more respectful language, such as "Person with Disability," ensuring dignity and recognizing individuals first as human beings. While, in Pakistan, outdated and negative terminology continues to prevail, contributing to societal barriers and discrimination. Despite efforts to change perceptions through language, Persons with disabilities in Pakistan face ongoing challenges, and linguistic stigma highlighting the urgent need for cultural change and policy reforms to promote inclusivity and respect for all individuals regardless of ability (British Council, 2014).

4.7 Socio-Political Context of PWDs:

Persons with disabilities who are possessing disabilities do not have the same issues and present different background histories, their experiences and needs are different and the only way to make them fully enjoy their rights involvement and participation is to meet their needs and persons with disabilities need extra attention and support to make them life more comfortable. The convention of the United Nations had made a remarkable shift in the thinking of societies by creating awareness toward the other citizens and obliging the rights of the disabled.

This approach of having a decision made in the authorities' position is a great success if the right insurance and subject of law are ensured in a way. The disabled are stereotyped in society, the convention has made it possible to enlarge the concept of equality and justice in the legal and law system and thus their exposure to social, educational and employment opportunities, and personal development. The Convention has laid the foundation for promoting human rights standards by equalizing all citizens though we have a long history of discrimination. the authorities ratify the Convention are legally bound to treat persons with disabilities not just as victims or members of a minority, but as subjects of the law with clearly definite rights. They will have to adapt their domestic framework to the international principles set forth in the treaty (Chauhdry, 2022).

The Convention promotes human rights standards and their function from a disability perspective promoting equal nationality after a long period of inequity. The agreement has changed the view and an inaccessible environment and a person, rather than an inherent attribute of an individual. It altered the conservative approach to disability with a social and

human rights model based on the fact that it is a society where persons with disabilities can exercise their human rights as citizens with full freedom.

4.8 Grey Areas

The World Health Organization's (WHO) social perspective about persons with disabilities is that the right allocation parts, these classes of human beings are always ignored because of their speechless power and their rights are fringed by powerful communities existing in the world. The Purpose of this convention for dictating the rights of persons with disabilities on the global stage is to create attention toward the ignored part of our community because their injustice persists in our world. Still in the world, there are lots of countries that do not have laws for accommodating persons with disabilities. The facts say that only one-third of countries have anti-discrimination and other disability-specific laws. The Convention will prompt governments to create constitutions or improve current laws to bring them up to the standards of persons with disabilities to a satisfactory level.

4.9 Problem Encountered in Existing System

The existing system for the welfare of persons with disabilities is gender-based. The existing policies and laws are needed to be redefined. In Pakistan, the only law passed was 1981 and afterwards a new act was introduced The Punjab Empowerment of Persons with Disabilities Act in 2022, (Government of Pakistan, 2022) though sufficient changes are been brought due to ineffective way of execution have created a lot of gaps and loopholes for improvements and thus there is a need to bring about changes in social and economic models for rehabilitation and streamlining the persons with disabilities issue. As 3% quota set at Punjab which should be considered and enforcement mechanisms need to be strengthened so that persons with disabilities can preserve their rights (Bait-ul-Maal, 2024). Thus, in order to cope with this situation there should be a strong mechanism in which advocacy and discussion of government sector with commercial is required. At this moment the situation is drastically out of order a lack of awareness among the persons with disabilities for their due rights and more implementation is formed law is not properly executed. Thus, there is a need to for legislation to analyze and manage the mismanagement address the issue that persons with disabilities are facing and spread awareness about their rights at grass root level.

4.10 Process of Disability Registration Certificate

In a country like Pakistan, the PWD wasn't able to avail the facilitation which is provided in the law for empowering the disabled. Still, unfortunately, they need proof of their disability. This is unfortunate for the concerned individual as they have to face hurdles in order to prove that they are right to claim their right. Normally the disable certificate is issued by the district assessment board in every district headquarters hospital. The process is indeed too hard and lengthy that special without having any links with higher authority can't obtain a certificate. Lack of responsibility and accountability in the department is seen quite prominently. A disable certificate is issued with the approval of the surgeon who visits the office once in month. Regular social workers don't have any authority.

Moreover, after a long struggle if he /she comes across the attitude of ignorance is quite commonly observed even though if he succeeds in being evaluated by a surgeon then he has to get a disabled registration certificate from the social welfare department and then a Nation identity card from NADRA it means that he has to visit three offices in order to claim his right which he/she already owes because of his lacking in the natural blessing of God. The majority of the persons with disabilities are unaware of the process as the data reflect that a greater percentage of persons with disabilities are lower-middle class and uneducated and thus the process becomes more complicated for them. Persons with special attributes also face difficulty in the form filling for registration of disability as the language of that form is in English are normally persons with disabilities are illiterate which clearly displays a picture of the inequality of rights and unfaithfulness of government departments to give rights to persons with disabilities.

5. Conclusion

If we conclude this research paper, the efforts of states to ensure the social inclusion of PWDs explore a critical intersection of policies, societal attitudes, and practical implementation of laws. Theoretically, frameworks such as 'UNCRPD' provide detailed guidelines for a state in promoting equality and accessibility. State policies and legislation, encouraged by such international standards, outline the commitment to upholding the rights and dignity of PWDs. On the other hand, the practical implementation of these ideals varies significantly across different states and contexts. Social inclusion requires not only legal frameworks but also the active engagement of multiple stakeholders, including government agencies, civil society organizations, the private sector, and the PWD community itself. The state should take steps and make policies on the grey areas and enhance the accessibility of PWDs

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