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Perceptions of Inclusive Legal Frameworks Among Disability Advocates

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ABSTRACT

This study aimed to explore the perceptions of disability advocates in Tehran regarding the inclusivity and effectiveness of Iran's legal frameworks in addressing the rights and needs of persons with disabilities. A qualitative research design was employed using semi-structured in-depth interviews to collect data from 25 disability advocates residing in Tehran. Participants were purposively sampled based on their professional and activist experience in legal advocacy, disability policy, and rights-based work. Data collection continued until theoretical saturation was achieved. Interviews were audio-recorded, transcribed verbatim, and analyzed thematically using NVivo software. Thematic analysis proceeded through open coding, axial coding, and selective coding to identify recurring patterns and extract conceptual categories representing advocates' perceptions, critiques, and reform strategies. Three main themes emerged: (1) structural barriers in legal frameworks, including outdated definitions, legal fragmentation, and weak enforcement mechanisms; (2) lived experiences of exclusion, discrimination, and inaccessibility in legal processes; and (3) strategies for legal reform, emphasizing cross-sector collaboration, participatory lawmaking, legal empowerment, and digital innovations. Participants reported widespread dissatisfaction with the gap between legal commitments and implementation, lack of procedural accommodations, and limited involvement of persons with disabilities in legal reform. Despite these challenges, they also identified pathways for advancing inclusive legal practices through both institutional and grassroots channels. The findings underscore a disconnect between the formal legal recognition of disability rights in Iran and their practical realization. Disability advocates perceive existing frameworks as symbolically inclusive but functionally exclusionary. Reform efforts must prioritize participatory processes, enforceability, and accessibility to transform the legal system into a genuine instrument of social inclusion.

Keywords: *disability rights; inclusive legal frameworks; legal advocacy; access to justice; qualitative research; Iran; CRPD; disability policy.*

Introduction

Legal frameworks play a pivotal role in shaping the everyday realities of persons with disabilities, determining access to public services, legal recourse, and social participation. While international instruments such as the United Nations Convention on the Rights of Persons with Disabilities (CRPD) have elevated the normative standards for disability inclusion globally, the extent to which national legal systems internalize and operationalize these principles remains uneven and often inadequate (Degener, 2016). In many contexts, including Iran, disability advocates continue to report that existing laws either fall short of international obligations or fail in implementation, resulting in systemic exclusion and inequality. Understanding how disability advocates themselves perceive and engage with these legal systems is essential to both legal reform and inclusive policy development.



Inclusive legal frameworks are those that acknowledge disability as a social construct, recognize the agency and rights of persons with disabilities, and guarantee equitable access to justice, services, and protections. According to Kanter (2015), inclusion in legal terms means not only the absence of discriminatory laws but the presence of proactive legal mechanisms that enable full participation. However, legal systems often retain medicalized definitions of disability, favoring a charity or welfare model that positions disabled individuals as passive recipients rather than rights holders (Meekosha & Shuttleworth, 2009). This discordance between progressive ideals and outdated legal infrastructure creates critical gaps in both perception and practice. Research has demonstrated that these gaps disproportionately affect individuals with less visible or psychosocial disabilities, who often encounter additional legal invisibility (Goodley, 2017).

Iran ratified the CRPD in 2009, committing to align national laws with the treaty's provisions. Yet, reports by both international observers and domestic civil society organizations have underscored the country's challenges in translating these commitments into comprehensive and enforceable domestic law (Human Rights Watch, 2018). For instance, despite legal provisions regarding disability employment quotas and accessibility requirements, enforcement remains inconsistent, and monitoring mechanisms are often weak or underfunded (Handicap International, 2021). Moreover, the Iranian legal system is marked by fragmentation, wherein different sectors—such as education, health, and judiciary—apply divergent definitions and protocols regarding disability. This fragmentation complicates legal advocacy and obstructs holistic policy reform (Karimi & Yarmohammadian, 2017).

Disability advocacy is a key driver of legal and social change, yet little empirical research has focused on how advocates perceive the very legal structures they aim to reform. The voices of advocates offer critical insight into lived experiences of legal engagement, systemic barriers, and strategies for change. As Barnes and Mercer (2010) note, advocacy is not only about demanding rights but about contesting the epistemological assumptions embedded in law and policy. Therefore, the perspectives of disability rights activists—those who work at the intersection of legal theory and practice—serve as a valuable entry point for evaluating the inclusivity of legal systems.

The socio-political context in Iran adds further complexity. While the government has made rhetorical commitments to social justice and inclusion, civil society participation in legal reform processes remains limited. Scholars have pointed out that Iranian law, influenced by a combination of civil law traditions and Islamic jurisprudence, often lacks the participatory and transparent processes necessary for inclusive policymaking (Bani Dugal, 2014). Disability advocates frequently report exclusion from law-drafting committees, lack of consultation, and tokenistic involvement that undermines substantive influence (Alizadeh, 2020). These procedural barriers reflect a broader issue of democratic deficit in legal governance, which has significant implications for marginalized populations.

Moreover, practical access to justice remains a formidable challenge. Court buildings are often physically inaccessible, legal forms are not available in alternative formats, and there is a severe shortage of trained interpreters for persons with sensory or intellectual disabilities (Jafari, 2019). Even when legal aid is available, it is rarely specialized or sensitive to the complex needs of disabled clients. This lack of procedural accommodation effectively denies many persons with disabilities their legal agency. Scholars have warned that such barriers constitute a form of “legal exclusion,” wherein the mere existence of rights on paper is insufficient to ensure actual justice (Schulze, 2010).

Globally, the trend toward disability-inclusive law has seen promising innovations—from participatory legislative drafting to the establishment of disability ombudspersons. In countries like South Africa, New Zealand, and India,

civil society advocacy has led to the adoption of comprehensive disability legislation rooted in human rights frameworks (Lang et al., 2011). These examples highlight the importance of not only legal reform but also of continuous engagement with disability stakeholders throughout the lawmaking and implementation processes. However, as scholars have noted, the transplantation of such models into other legal cultures requires sensitivity to local contexts, including prevailing legal traditions, political structures, and societal attitudes toward disability (Soldatic & Meekosha, 2012).

In the Iranian context, the literature remains sparse on empirical investigations into the perceptions of disability advocates regarding legal frameworks. Most existing research focuses either on technical legal analysis or broader sociological studies of disability. There is a notable gap in qualitative, advocacy-centered scholarship that examines how advocates interpret the responsiveness of the legal system to the needs and rights of persons with disabilities. This study seeks to fill this gap by capturing the experiences, critiques, and reform proposals articulated by those most intimately involved in the legal struggle for inclusion.

This research is grounded in a social model of disability and adopts a critical legal studies approach. The social model reframes disability as arising not solely from individual impairment but from societal and institutional barriers that hinder participation (Oliver, 1990). Within this framework, law is not seen as a neutral arbiter but as a site of power that can either perpetuate or dismantle exclusion (Rioux & Valentine, 2006). By focusing on the voices of advocates, the study aims to deconstruct prevailing legal norms and reveal how existing frameworks may inadvertently sustain inequality. In doing so, it contributes to a broader effort to “crip” legal discourse, as articulated by scholars who seek to center disability epistemologies in legal scholarship (Puar, 2017).

The research employs a qualitative methodology, specifically semi-structured interviews, to explore the nuanced understandings that disability advocates hold regarding inclusive legal frameworks in Iran. This approach allows for the capture of both experiential insights and strategic knowledge, enabling a deeper appreciation of how legal structures are navigated, contested, and reimagined by advocates on the ground. The study also identifies reform priorities as envisioned by the participants themselves, which can serve as a roadmap for legislators, policy designers, and civil society actors committed to disability-inclusive governance.

In sum, this study addresses a significant gap in the literature by investigating how disability advocates perceive, interpret, and seek to reform legal frameworks in the Iranian context. By foregrounding advocate narratives, it challenges dominant paradigms that treat legal reform as a top-down process and instead presents it as a dynamic, contested, and participatory endeavor. The findings of this research have implications not only for Iranian policymakers and legal practitioners but also for international bodies monitoring the implementation of disability rights across diverse legal systems.

Methods and Materials

This study employed a qualitative research design to explore the perceptions of inclusive legal frameworks among disability advocates. A purposive sampling strategy was utilized to recruit participants who had substantial experience in advocacy, policy engagement, or legal reform related to disability rights. A total of 25 participants, comprising legal experts, activists, NGO representatives, and disability rights advocates, were selected from Tehran. The inclusion criteria focused on individuals who had either directly contributed to disability legislation or had significant exposure to the challenges and opportunities presented by the legal system in accommodating

persons with disabilities. Participation continued until the point of theoretical saturation, where no new themes or perspectives were emerging from the interviews.

Data were collected through semi-structured, in-depth interviews conducted in person. Each interview lasted approximately 45 to 75 minutes and was guided by an interview protocol designed to elicit detailed reflections on experiences with legal accessibility, inclusion, barriers in policy execution, and perceived gaps in current legal provisions. The interview questions were open-ended and flexible, allowing for follow-up questions based on the participants' responses to ensure rich and nuanced data. All interviews were audio-recorded with informed consent and subsequently transcribed verbatim for analysis.

Data analysis followed a thematic approach using NVivo qualitative analysis software. Thematic coding was carried out in three stages: open coding, axial coding, and selective coding. During the open coding phase, initial concepts and key phrases were identified line-by-line from the transcripts. These were then grouped into broader subthemes during axial coding based on patterns and interrelationships across participants' responses. In the final stage, selective coding, core themes were developed to encapsulate the overarching narratives related to legal inclusivity. Credibility was ensured through peer debriefing and member checks, wherein a subset of participants reviewed summary interpretations of their contributions to validate the accuracy of the researchers' coding and thematic extraction.

Findings and Results

Theme 1: Structural Barriers in Legal Frameworks

Inadequate Definition of Disability

Participants highlighted that existing legal definitions are overly medicalized, often reducing disability to physical impairments while neglecting psychosocial and intellectual dimensions. This narrow framing leads to exclusion in rights eligibility and service provision. One advocate remarked, "The law only recognizes you if your disability is visible. What about those of us with chronic mental health conditions? We're invisible in the legal system."

Fragmentation Across Laws

The legal framework was described as disjointed, with overlapping jurisdictions and conflicting clauses across different statutes. Advocates noted that this fragmentation creates confusion and undermines the enforcement of rights. A participant stated, "One ministry says one thing, another has a different rule—how can we navigate such contradictory systems?"

Poor Enforcement Mechanisms

Respondents stressed that even when inclusive laws exist, enforcement mechanisms are weak or absent. They noted a lack of clear accountability structures, delayed implementation, and an absence of penalties for non-compliance. As one interviewee explained, "It's not that we don't have some laws; it's that nobody is held responsible when they're ignored."

Bureaucratic Obstacles

Bureaucratic red tape emerged as a significant barrier. Participants described excessive documentation requirements, legal jargon, and inaccessible procedures that deter people with disabilities from pursuing justice. A participant recounted, "I needed a lawyer just to understand the paperwork—they assume we're all experts in legalese."

Policy Tokenism

Several participants expressed frustration with symbolic reforms that lack substance. They perceived recent legislative efforts as performative, created to fulfill obligations rather than enact change. One advocate reflected, “They pass a law and celebrate, but it changes nothing on the ground. It’s all for appearances.”

Disconnection from International Standards

Advocates criticized the national legal system for failing to fully align with international frameworks like the Convention on the Rights of Persons with Disabilities (CRPD). They noted that partial adoption and selective interpretation dilute the impact. As one respondent said, “They quote the CRPD when convenient, but the spirit of the treaty is missing in our laws.”

Theme 2: Lived Experiences with Legal Inclusion

Discrimination in Legal Settings

Participants reported facing prejudice and stereotyping within courtrooms and administrative hearings. They described being talked down to, having their testimonies dismissed, and being treated as lacking credibility. One participant stated, “The judge kept addressing my caregiver instead of me. I was invisible in my own case.”

Limited Accessibility to Legal Institutions

Physical and communication barriers were widely cited. Many courthouses lacked ramps or elevators, and interpreters for sign language or accessible formats were unavailable. One interviewee noted, “I had to be carried up the stairs to attend my own hearing. That’s how accessible our justice system is.”

Exclusion from Policymaking

Advocates expressed concern about being systematically left out of legislative processes. They noted a lack of consultation, especially in the drafting of disability-related laws. A participant commented, “They write laws about us, without us. We’re always the last to know.”

Navigating Legal Recourse

Participants described the legal process as intimidating and emotionally draining. Many relied on others for navigation or feared backlash from challenging institutions. As one interviewee explained, “You feel like you’re battling a monster. It’s exhausting, and you feel so alone.”

Legal Mistrust

Past negative experiences had led many participants to develop a deep mistrust of legal institutions. They felt the system was biased and ineffective in delivering justice for persons with disabilities. One advocate shared, “We’ve been let down so many times that people don’t even try anymore. They’ve given up on the law.”

Theme 3: Strategies for Legal Reform and Advocacy

Cross-sector Collaboration

Participants emphasized the importance of building alliances among NGOs, government agencies, and academia. They described successful initiatives that involved multiple sectors working together to push for reform. One participant shared, “When we joined forces with researchers and the ministry, we finally saw results. Alone, we’re ignored.”

Inclusive Legal Drafting

Advocates called for participatory legislative processes where laws are co-designed with people with disabilities. They recommended using plain language, pilot testing, and iterative feedback. A participant stated, “If we can’t understand the law, how can we trust it? Involve us from the start.”

Capacity Building for Legal Professionals

Several respondents stressed the need for training judges, lawyers, and police officers on disability rights and sensitivity. They suggested experiential learning methods and ongoing education. One interviewee said, “A half-day workshop won’t undo years of bias. We need systemic training.”

Leveraging International Instruments

Advocates discussed using tools like the CRPD in advocacy and litigation. They cited examples where referencing international treaties strengthened their legal arguments. One participant explained, “Quoting the CRPD gave weight to our case. It shows we’re not just asking—we’re asserting rights recognized globally.”

Grassroots Legal Empowerment

Participants described local workshops, peer legal counseling, and community hubs as effective ways to empower people with disabilities. These approaches helped increase legal literacy and confidence. A respondent noted, “When people understand their rights, they become less afraid to demand them.”

Monitoring and Evaluation Mechanisms

Respondents advocated for civil society oversight to hold the government accountable. They suggested participatory audits and public scorecards. One interviewee stated, “We need to be watchdogs. Otherwise, they sign a paper and never act on it.”

Digital Legal Access Tools

Finally, participants saw promise in technology—such as mobile apps and accessible legal portals—to improve access to legal information and services. One advocate commented, “Even a simple app that explains rights in plain language could be a game-changer.”

Discussion and Conclusion

This study explored the perceptions of disability advocates in Tehran regarding the inclusivity of Iran’s legal frameworks and identified core themes related to structural barriers, lived experiences, and reform strategies. The findings revealed a significant dissonance between formal legal commitments to inclusion and the actual experiences of advocates navigating and challenging the legal system. The data underscore that despite Iran’s ratification of the Convention on the Rights of Persons with Disabilities (CRPD), national laws remain fragmented, poorly enforced, and procedurally inaccessible. These findings suggest a persistent implementation gap and highlight the critical importance of participatory legal reform.

One of the most salient findings relates to the inadequacy of current legal definitions of disability, which continue to rely on medicalized and impairment-focused models. Participants expressed concern that such definitions exclude individuals with psychosocial and invisible disabilities, rendering them ineligible for key protections. This mirrors international critiques of overly clinical legal frameworks, which fail to reflect the social model of disability embedded in the CRPD (Degener, 2016). Previous research has emphasized that legal recognition based solely on impairment reinforces stigma and fails to address structural barriers to inclusion (Kanter, 2015). The advocates’ insistence on incorporating lived experience into legal definitions reflects a global trend toward participatory and experiential knowledge in lawmaking (Goodley, 2017).

Additionally, the theme of legal fragmentation highlights how various laws governing disability rights in Iran lack coherence and coordination. Participants described confusion across ministries, contradictory regulations, and jurisdictional overlaps. This issue has been documented in earlier studies indicating that Iranian disability policy suffers from poor intersectoral integration and lacks a central enforcement authority (Karimi & Yarmohammadian,

2017). Fragmentation not only undermines implementation but also complicates advocacy efforts by creating multiple, often contradictory, legal points of engagement. Similar issues have been observed in other low- and middle-income countries where legal harmonization efforts have lagged behind international commitments (Lang et al., 2011).

Poor enforcement mechanisms were repeatedly identified as a critical barrier to meaningful legal inclusion. Advocates described a lack of monitoring bodies, minimal legal accountability, and no clear penalties for violations. This aligns with research suggesting that even where inclusive laws exist, the absence of effective enforcement systems renders them symbolic rather than functional (Schulze, 2010). Legal performativity—where laws serve as rhetorical tools without producing tangible change—has been critiqued as a form of “policy tokenism” (Meekosha & Shuttleworth, 2009), a term echoed by participants in this study. Such symbolic inclusion fails to address the lived experiences of exclusion, reinforcing mistrust in legal institutions.

The experiences of procedural discrimination and exclusion from legal spaces emerged as a strong sub-theme within the second category. Advocates detailed encounters with inaccessible courtrooms, hostile legal personnel, and systemic biases that compromised their ability to seek justice. These findings reinforce prior studies that have documented the inaccessibility of legal institutions for people with disabilities, including architectural barriers, lack of sign language interpreters, and unaccommodated communication needs (Jafari, 2019). Moreover, the emotional toll described by participants—feelings of invisibility, exhaustion, and fear—highlight the psychosocial impact of legal exclusion, which has often been overlooked in legal scholarship (Barnes & Mercer, 2010).

The lack of advocate involvement in legal drafting was also noted as a serious deficiency. Participants criticized top-down processes that exclude disabled voices, resulting in laws that are detached from community realities. This critique resonates with global calls for participatory lawmaking and inclusive governance (Oliver, 1990). As noted by Puar (2017), the exclusion of disabled bodies from legal deliberation spaces is not merely procedural but ideological, reflecting deeper biases about capability and expertise. In this light, the demand for co-authorship of law—through consultative forums, participatory reviews, and user-testing—represents a move toward what some scholars term “crip jurisprudence,” wherein the norms of legal production are themselves reimaged (Rioux & Valentine, 2006).

Despite these challenges, participants offered a range of strategies for reform. One of the most promising areas involved cross-sector collaboration between civil society organizations, academics, and government agencies. Advocates shared examples of joint projects that led to local policy improvements, such as the introduction of disability sensitivity training in certain municipal offices. This aligns with international findings that multi-stakeholder partnerships can improve disability inclusion in legal and policy processes (Lang et al., 2011). However, such collaborations require sustained political will and institutional openness—conditions that many participants felt were lacking or inconsistent in Iran.

Another innovative strategy discussed was the use of international instruments such as the CRPD in advocacy efforts. Some participants described invoking treaty language during litigation or referencing it in policy dialogues to bolster their arguments. This tactic is supported by studies that document the utility of international legal frameworks in advancing domestic disability rights, particularly in contexts where national law is underdeveloped or ambiguous (Soldatic & Meekosha, 2012). Yet, this strategy also faces limitations when domestic courts or agencies are unfamiliar with—or resistant to—international law.

Grassroots legal empowerment initiatives, such as peer-led legal education workshops and mobile legal aid units, were highlighted as essential tools for building legal consciousness and agency within the disability community. These bottom-up efforts help to bridge the gap between legal rights and lived experience, particularly for individuals who are disenfranchised or distrustful of formal institutions. As documented in prior research, such initiatives not only increase awareness but also foster collective action and community-based advocacy (Goodley, 2017). They serve as countermeasures to legal alienation by localizing justice and redefining legal participation beyond the courtroom.

Technology-based solutions, such as accessible legal portals and mobile rights-awareness apps, also emerged as potential enablers of legal inclusion. While participants acknowledged the digital divide and infrastructural limitations, they saw promise in leveraging digital tools to disseminate legal knowledge and facilitate complaint mechanisms. This resonates with global trends in digital legal empowerment, particularly in resource-constrained settings where formal legal systems are inaccessible or underperforming (Handicap International, 2021). However, to be effective, such tools must be co-designed with users and must address diverse accessibility needs, including visual, cognitive, and linguistic accommodations.

In sum, the findings of this study present a multi-layered critique of Iran's disability-related legal frameworks, while also offering a roadmap for reform based on lived expertise and grounded innovation. The structural, procedural, and ideological barriers identified by advocates echo global challenges but also reflect unique contextual dynamics rooted in legal culture, state-civil society relations, and prevailing attitudes toward disability. The study reinforces the need for participatory legal reform, robust enforcement, and integrated advocacy strategies that span from grassroots mobilization to institutional accountability.

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Authors' Contributions

All authors equally contributed to this study.

Declaration of Interest

The authors of this article declared no conflict of interest.

Ethical Considerations

All ethical principles were adhered in conducting and writing this article.

Transparency of Data

In accordance with the principles of transparency and open research, we declare that all data and materials used in this study are available upon request.

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