



## Introduction

**Abstract** Cities around the world are failing people with disabilities, who represent 15–20% of the world’s population. These failures exist across every sector of life. Historically, people with disabilities have been treated as objects of charity in need of custodial care. However, urban planners who are well positioned to help usher in a new wave of urban reforms and cities around the world like Dubai are experimenting with more inclusive and equitable policies. These new approaches are fundamentally restructuring urban planning and design. The Convention on the Rights of Persons with Disabilities and UAE Federal Law No. 29 challenge normative approaches to spatial justice and policy. This chapter explores how these innovations seek to remove obstacles for people with disabilities. The case of the United Arab Emirates may at first glance appear to be an atypical case of disability-related development, but its unique position illustrates broader structural challenges and tensions inherent to the process of broad-based, cross-sectoral reforms. Building upon an original innovative framework, this book assesses the transformation of disability rights in Dubai and adds an urban dimension to the Capability Model of Disability by addressing the theoretical gaps that impede social inclusion of people with disabilities in cities.

**Keywords** Governance • Access • Dubai • Capability approach  
• Urban theory • Social inclusion • People with disabilities  
• United Arab Emirates • Urban design

## WHY STUDY DUBAI? SEEDS IN THE DESERT

Dubai is one of the most talked about but least understood cities of our time. In 1999, His Highness (H.H.) Sheikh Mohammed bin Rashid Al Maktoum, the Crown Prince and Deputy Ruler at the time, declared against all odds that Dubai would build man-made islands to rival Manhattan and construct unmatched retail centers that would unite the world in cultural diversity and commercial exchange. With conviction, the Ruler publicly declared that his emirate would become one of the world's most innovative global cities (Al Maktoum 2009). His government labored feverishly to execute his vision and, in record time, Dubai had grown from its humble beginnings as a cluster of fishing villages into a respected regional hub for tourism, commerce, and finance. By 2005, with a reported 25% of the world's cranes and over \$300 billion in development projects, Dubai commanded the world's attention. During the subsequent three years, the *Financial Times* and the BBC dubbed "Dubai Inc." as "the world's fastest-growing city." However, the situation changed rapidly in 2009. Under the weight of a massive real estate bubble and global financial crisis, *Dubai Inc.*'s debts imploded. Some building continued, but mostly through the force of inertia. But the opportunity to rethink "Dubai Inc." had come.

I first became interested in the Persian Gulf and the United Arab Emirates<sup>1</sup> (UAE) in 1993 while living in Kuwait with my father, a diplomat, university professor, and journalist. His post as Ambassador of Venezuela to Kuwait also included maintaining relations between my family's homeland of Venezuela and the relatively young federation of the UAE.

My older brother Francisco, who was on the junior varsity basketball team, traveled from Kuwait to Dubai for a match against one of the local high-school teams. He came back with stories that sparked the imagination of his impressionable younger brother, me. Twelve years later in 2005, as the region and nation's expansive urban and economic growth reached record highs, I was engaging in research that documented the formation of the United Nations Convention on the Rights of Persons

<sup>1</sup>The United Arab Emirates (UAE) is a federation comprising seven emirates located in the southeast of the Arabian Peninsula in Southwest Asia. It is situated on the Persian Gulf, bordering Oman and Saudi Arabia. These seven states, termed emirates, are Abu Dhabi, Dubai, Sharjah, Ajman, Umm al-Quwain, Ras al-Khaimah, and Fujairah. According to the 2017 World Bank population estimate, the total population of the United Arab Emirates is around 9.4 million.

with Disabilities (CRPD). I began to wonder if the city was real or simply a mirage. Any city with such dynamism would provide a fertile base from which to build in accessibility; it would provide a *tabula rasa* with the potential to become the world's most accessible city.

In 2007, as part of my commitment to documenting, assessing, and supporting the practice of inclusive development, I was invited by a colleague to visit Dubai. This gave me the opportunity to engage with a relatively young and visionary team of experts, government officials, and disability advocates who were charged with the ultimate task—to make Dubai one of the most accessible and inclusive cities in the world. It was exciting, but I was unsure how they were going to pull it off. Could solving accessibility be as simple as simply allocating sufficient funds?

The UAE has substantial resources. It holds the seventh-largest proven reserves of both crude oil and natural gas in the world. Since its independence from the UK in 1971, the UAE has relied on its large hydrocarbon endowments to support its economy, but through concerted efforts over the past several decades, that has begun to change. The UAE is becoming one of the world's most important financial centers and a major trading center in the Middle East. Would this economic advantage prove sufficient in building the world's most accessible city? Three years after my first visit I would move to Dubai to find out.

### *The Federal Structure of Government*

Arabic is the official language of the UAE and serves as the main language for government programs and strategy at the federal level. The country's political system is governed by the UAE Constitution, which splits authority between federal and local authorities. Federal authority is exercised through legislation and execution of federal strategies, laws, and mandates (UAE Constitution, Article 120). The individual member emirates have authority in specific areas related to local management and governance such as the provision of roads, commerce, infrastructure, education, health, and employment, among others. At present, the federal system of government includes the Supreme Council, the Council of Ministers (Cabinet), a parliamentary body in the form of the Federal National Council (FNC), and the Federal Supreme Court, which is representative of an independent judiciary.

### *Access Through the Lens of Planning*

As an urban planner living in the UAE, I was surprised that my profession had not yet explored this dynamic city-state to a greater extent. But more importantly as a disability studies researcher, I was concerned that urban planners had not developed inclusive conceptual approaches to accessibility; the field had practically ignored disability as a fundamental and central experience of the human condition. A multitude of disciplines such as philosophy, public policy, social welfare, and human development have explored disability as a lens through which to understand social exclusion. Why have urban planners left people with disabilities behind?<sup>2</sup>

Due to its breadth and flexibility, I see planning as one of the few fields that can address and harness the human potential of persons with disabilities,<sup>3</sup> older persons, and all those who may encounter barriers in the built environment. The field of planning encourages scholars to act and shape new approaches to social justice, access, and community development. It has the potential to help bring millions of people out of the shadows and into the light. It has the power to create a radical transformation in the way a city thinks about and acts on two fundamental values for our time: access and inclusion. I thus set out to explore a relatively new phenomenon in urban planning—disability—across various sectors and scales using an intellectual toolkit housed in the fields of policy planning and urban development.

Most disability rights activists I have spoken to in both developed and developing countries have made remarks along the lines of “We’re not as advanced on disability rights as the US or Europe” or “You’ve seen more progress in this field than we have.” Through my work, I have had to think a lot about what constitutes progress for people with disabilities. Is progress linked to development? If so, then how? What are the values we are advancing? Peter Hall (2002) argues that development is dependent on changing ideas and norms and is also culturally relative and context specific.

<sup>2</sup> It was disappointing to discover that scholars in urban planning, social policy, and international development have by and large failed to address disability as a natural component of the human condition. As such, the three fields are also rather silent on the issue from historical, theoretical, and practical perspectives. Debates around these topics raise questions on the outdated models of disability as well as on government and private sector responsibilities toward the social inclusion of the disabled population. As a result, urban planners are challenged to meaningfully contribute to disability rights and policies.

<sup>3</sup> The term “persons” is used in the United Nations Convention on the Rights of Persons with Disabilities rather than “people,” although both can be used interchangeably.

Throughout the world, persons with disabilities are often excluded from mainstream society and denied basic rights (Lindqvist 2000). Pejorative approaches are oftentimes entrenched in social welfare systems that perpetuate dependency and stigma or conflict with new technological, political, or social realities. From my frequent visits to the Middle East, I have personally witnessed and experienced various forms of discrimination against persons with disabilities. These range from physical, emotional, psychological abuse to social exclusion and malign neglect. This abuse and neglect is virtually universal and is present in some form even in advanced economies with decades of experience in enforcing disability rights laws. Throughout the book I describe in detail the evolution of urban and disability theory. I also describe in detail the transformation of disability rights in Dubai, and although I highlight early experiences of neglect, discrimination, and exclusion, I also demonstrate areas of more contemporary approaches that have made rapid progress.

According to Nagata (2008), a disability rights scholar and United Nations expert, effects of disability-based discrimination in the Middle East are particularly severe in fields such as education, employment, housing, transport, cultural life, and access to public places and services. Nagata (2008) cites distinction, exclusion, restriction of preference, or denial of reasonable accommodation based on disablement as social realities that effectively nullify or impair the recognition, enjoyment, or exercise of the rights of persons with disabilities. Urban planners have not adequately addressed such issues and have left the disability question unanswered for too long. Advocates with disabilities living in different parts of the world echoed a similar sentiment.

Contemporary research shows compelling evidence that the diminishment of function does not have to equate to a diminishment of agency (Francis and Silvers 2000; Silverstein 2000; Robeyns 2006; Kittay and Carlson 2010). Disability advocates from the Middle East I have spoken with echo existing research (Poortman 2005; Nagata 2008) and say with a sense of urgency that business as usual has not worked for persons with disabilities. In governments across the Middle East public institutions are marred by funding inequalities, duplication of effort, lack of capacity, power, or mandate to meet all of the necessary social outcomes and objectives of equality and employment (social inclusion) that they are mandated to achieve (Humphreys et al. 2003; Caiderwood 2009; Demarco 2009). It really seemed that a new more flexible and more holistic paradigm was needed—one that could be operationalized, modified,

and customized to the diverse conditions, customs, and governments that signed onto the Convention. The amount of change required to address these challenges however left me wondering whether solving the disability question in planning and development was too difficult, too costly, or merely an excuse for not embarking upon the path toward justice and greater freedoms as set out by the CRPD.

In the UAE, as in the majority of the world, unnecessary obstacles prevent persons with disabilities from exercising their rights and from being able to fully participate in the range of activities possible in their society. According to the CRPD and UAE Federal Law No. 29 of 2006 Concerning the Rights of People of Determination, federal and local governments in the UAE are required to actively remove physical, social, legal, and other barriers that prevent persons with disabilities from participating equally in public life. Additionally, the CRPD states that persons with disabilities and their organizations should play an active role as partners in this process. However in the first nine years since the passage of Federal Law No. 29, they seldom did, but this has also begun to change. As I will describe later in the book the UAE Constitution defines the basic public goods and services that need to be afforded to persons with disabilities. It also stipulates that these should not be contingent upon nationality (see UAE Constitution 1996, Appendix A; Al-Muhairi 1996).<sup>4</sup>

In 2007, during one of my first trips to the UAE, a real estate developer confided that there was no need for accessibility standards in the Emirates because according to him, “there are no persons with disabilities in the UAE, and if there are, they are too few to matter.” As such he argued that “no drastic measures should be taken by the government.” According to him, the number of persons with disabilities was exaggerated. He was likely referring to a 2006 government report that stated the “unofficial

<sup>4</sup>Under the general provisions of Article 1, individuals with disabilities will be granted by the Ministry of Social Affairs an official document indicating that “its holder is a person with special needs.” This Article is problematic to the equal enjoyment of rights. Requiring that persons with disabilities carry a card issued from the Ministry of Social Affairs would restrict most provisions of the law to nationals and scale down the universal status of *rights* limiting them to a selected group of “card-carrying” beneficiaries. Additionally, such schemes usually work against doubly marginalized groups (in violation of Articles 3, 4, 5, 6, 7, 12, 13, 14, and 33 of the CRPD). Women, children, the elderly, the poor, migrant workers, Bedouin people, and religious/ethnic minorities who live with disabilities would be at a disadvantage and would, under this scheme, not be able to equally realize their rights. The equalization of opportunities for all persons with disabilities in the UAE is an essential contribution in the general and global effort to effectively develop and mobilize untapped human resources.

number” of persons with disabilities in the UAE was estimated to be 3300 people. This figure however only counted the number of disabled individuals who were receiving services for disability through one of the 47 centers regulated by the Ministry of Social Affairs. But in reality, if the UAE has the prevalence of disability equal to international averages, then the UAE has somewhere between 200,000 and 450,000 persons with disabilities<sup>5</sup> (Staff 2005; Salama 2006). According to figures published in the local press, this number is growing due, in part, to the prevalence of consanguinity and maintaining one of the world’s highest rates of traffic accidents (Smadi and Sartawi 1998; El-Sadig et al. 2002; Reini 2009; Chung 2010; Shaheen 2010). A wide spectrum of causes beyond the two examples exist and the consequences of disability vary according to the specific socio-economic circumstances and different social services available at the local level. Due to the relative heterogeneity, tolerance, openness, and basic freedoms in the press, negative social factors like neglect, ignorance, superstition, and fear are not as dominant in Dubai or in the UAE as they are in neighboring countries. Dubai, in particular, serves as an ideal case study in understanding the public response to developing and implementing disability rights programs and policies. This is not because Dubai is an atypical case, but because it counters dominant thinking in the area of disability rights. Some of the most common misconceptions in the area of disability rights and policies are summarized in Table 1.1.

### *Challenging and Changing Norms*

Toward the end of the 1960s, organizations of persons with disabilities in the US and a handful of other countries started to formulate a new concept of disability (Stiker 1999; Longmore and Umansky 2001; Switzer 2003; Shakespeare 2008). That new concept indicated the close connection between the limitations experienced by individuals with disabilities, the design and structure of their environments, and the attitude of the general population (Batavia and Schriener 2001; Davis 2006; Stewart 2006; Byrne and McLaughlin 2007). As such, the new concepts of disability were closely linked to urban planning, public affairs, and the development of social policies (Hahn 1985, 1986, 1988; Imrie 1996a, 2000; Gleeson 1999; Hall and Kearns 2001). The disability imperative thus

<sup>5</sup>This can be referred to as “administrative prevalence.” Since 90% of the population is expatriate, there is a lower population prevalence for expatriate adults.

**Table 1.1** Common misconceptions in the area of disability rights and policy

<i>Misconception</i>	<i>Reality</i>
<i>A nation must be rich to make significant progress on disability rights.</i>	By cooperating with disabled people's organizations, many developing nations such as Serbia, Uganda, Jordan, Ecuador, and others have improved the participation rate of persons with disabilities despite having limited resources. Other higher-income countries like France may have worse records across different dimensions such as transportation.
<i>A developed nation has more potential to improve the lives of persons with disabilities than a developing nation.</i>	Economic growth and institutional development allows for disability rights to be included and built into national development plans. Countries dynamic economies like China, India, Brazil, and Russia have a unique opportunity to get it right.
<i>Developing and implementing disability rights legislation is purely a domestic process that does not need international laws or international support.</i>	Various national governments have worked together and continue to do so to promote observance and implementation of international human rights standards. They also work together bilaterally or multilaterally at the regional level to promote and strengthen national or regional human rights institutions and mechanisms.
<i>Passing legislation will improve the lives of persons with disabilities.</i>	Laws alone cannot prevent or end gross human rights violations against persons with disabilities. Governments need to promote positive change in policies or actions of government or relevant non-state actors in the area of human rights. This can happen with a strong monitoring agency enforcing strong legislation.
<i>Removing physical barriers in new or existing buildings is too costly and not an efficient use of public funds.</i>	Infrastructure (physical or digital) should serve the public. According to the United Nations, incorporating accessibility features into the early stages of planning and design increases the cost of construction by only around 1–2%.
<i>Having a small population makes this problem easier to tackle.</i>	Retrofitting a building to eliminate oversights is inordinately more expensive. The size of the population is not as important as the capacity of existing institutions to reach or work with the affected populations. Good institutions and the ability to reach the target populations in their local communities are key. This can be a challenge even in countries with relatively small populations.
<i>Charismatic leadership is necessary to push forward necessary reforms.</i>	Oftentimes social change is possible because of a champion at the top. However, disability rights have progressed and been sustained over time through the engaged and prolonged advocacy of parents, self-advocates, allies and academic, research, foundation, and private sector actors working collaboratively with government agencies at both national and local levels.
<i>It is more effective to mandate changes than to engage in a prolonged discussion about changes.</i>	Too often, mandates and directives fail to adequately incorporate the voices, needs, and capabilities that local communities have to effectively address problems. The disability motto “Nothing about us without us” serves as a reminder that the costs of excluding the population most affected could have negative implications on the projected outcomes and costs of the reform.

became a planning imperative. The debilitating aspects of disability under the new concepts being developed in the 1970s and 1980s could be partially eliminated with concerted effort and inclusive planning, design, and implementation (Imrie and Wells 1993; Imrie 1996a, 1999; Hall and Imrie 1999; Imrie and Hall 2001).

### *Laying a Foundation for Spatial Justice*

The social, political, and historical conditions are substantively different in the UAE from those in the US, Japan, or Europe. Dubai does however provide globally relevant lessons that highlight the pitfalls and shortcomings of what oftentimes were well-intentioned policies and well-meaning efforts by sympathetic government officials. The global disability rights movement and the CRPD brought forth a massive reconceptualization of justice for persons with disabilities on a global level. Evaluating inclusion involves questioning normative approaches to justice. It also helps planners see the critical social and cultural factors, including those based on beliefs and customs, that enable and/or disable people in a given environment.

The UAE and other Gulf Cooperation Council (GCC) countries (Saudi Arabia, Kuwait, Qatar, Bahrain, and Oman) can avoid the mistakes of the US and, at the same time, develop their own approaches to disability theory, policy, and social development faster. They can choose to adapt their own cultural notion of disability or build from existing knowledge in charting their own path for realizing the most tangible rights and norms. The questions that remain are not if and why, but how and when. And this must occur with the knowledge that even in the most developed countries, discriminatory attitudes and social stigma are still prevalent.

### *In Pursuit of the Inclusive City*

Cities shape how we live and what we can do. They unlock human potential and innovation. Inclusive urban policies can bring millions of people from the margins into the center of city life, and social inclusion is a rally cry for protests from #BlackLivesMatter to court cases on immigration, to emergency preparedness and planning. Too often, however, inclusion is not at the center of urban development. Inequality and exclusion abound, often at rates greater than the national average, at the expense of sustainable development that delivers for all.

From a decade of research, I am convinced that three key types of drivers are needed to combat the rise of urban exclusion and direct cities onto

a better path. The first is political commitment to inclusive urban development at multiple levels, in the face of many forces and stakeholders incentivizing uneven and unequal development. The second is a range of mechanisms and institutions to facilitate inclusion, including participatory policymaking, accountability, universal access to services, spatial planning, and a strong recognition of the complementary roles of national and local governments in achieving inclusive growth (UN Habitat 2015). The third is the role of increasing awareness across society on what inclusion really means. This book explores how these drivers work in unison for persons with disabilities and particularly explores these drivers in one of the most dynamic cities in the world: Dubai.

### *Asking the Right Questions*

Approaches toward disability laws and policies are constantly being tested under new assumptions and under distinct political, economic, social, and cultural regimes. More than 180 countries are now committed to promoting, protecting, and ensuring the basic rights and dignities of persons with disabilities. Many are enacting new laws and amending old ones to better align with the principles of the CRPD.

Federal Law No. 29 provides the opportunity to examine the trajectory of successes, and failures of a law. The case study presented in this book illuminates the challenges to and opportunities in effective implementation of international human rights norms at a local level and is structured to specifically answer the following question:

*Question* How successful has the local government of the Emirate of Dubai been in developing and implementing disability inclusive policies and programs?

The CRPD and Federal Law No. 29 pose challenges and opportunities in implementation. They also challenged governance, social cohesion, and the very notion of citizenship. As a result, this book explores and addresses related questions:

1. What frameworks exist to holistically assess the implementation of the law?
2. How can local institutions effectively implement the law?
3. To what degree have persons with disabilities been engaged in implementing this law?

*Looking for a Paradigm Shift in Inclusive Urban Development*

Federal Law No. 29 is one specific example of how disability rights are being implemented in a wealthy and dynamic autonomous city-state. Perhaps the specificity of an economy that was jump-started by fossil fuels, with a leadership structure based on hereditary rule, could make Dubai's experience implementing disability rights irrelevant to other parts of the world. But this is not the case. Dubai's efforts and outcomes with inclusion closely resemble efforts and outcomes in many other countries around the world. What is surprising is not that our findings in Dubai were not exceptional but rather consistent. It is precisely the attitudes, behaviors, and beliefs of ordinary people that determine the actions of a society not only in Dubai but across the world. People and institutions in Dubai are thus not unique in the way that they have historically responded to disability. Often respondents who were interviewed utilized a medical notion of disability, and by viewing the experience of disability so narrowly, they viewed disability as being an essentialized identity independent of the physical and social environment. In this book I contend that disability is not simply a medical abnormality, but rather a problem in design, or a failure between the agent and his/her environment.

City governments often lack the human resources and the technical skills needed to manage the complex multi-sectoral reforms that are required to eliminate the barriers that prevent persons with disabilities from participating equally in all aspects of public life. Dubai is no different. Although Dubai is a relatively wealthy city with finance, trade, and commerce accounting for a large percentage of its GDP, it faces serious challenges in the administration and coordination of the necessary reforms. These institutional constraints in administrative capacity limit the impact of the laws and, for a period between 2009 and 2014, seriously put in question the viability of Dubai's goal of becoming the world's most accessible city by 2020. I describe later in the book how this changed with the development of the Dubai Disability Strategy and the Universal Accessibility Code of 2015–2016.

Additional complications exist that are particularly unique to Dubai. These include the government's strategic reliance on "signaling" progress through press releases and articles disseminated in the news and through social media. The challenge here is that verbal support of the law is not matched by sustainable budgeting for its implementation. In addition, unique findings from attitudes surveys highlight that dominant social attitudes in Dubai are strongly congruent with international norms along some

dimensions—for example, affording education, health, and employment. At the same time they are somewhat incongruent with regard to affording independent living, as well as ensuring political and public participation. While these particularities are interesting, they also strengthen the argument that Dubai’s progress cannot be measured along one dimension, such as simply passing a law or issuing a decree in support of the International Day of Persons with Disabilities. Instead, it must be by concerted, measured, integrated, and systemic initiatives. As such policy reforms or programmatic initiatives must be measurable with key performance indicators (KPIs) that are based on a set of unifying principles. Effective implementation of the KPIs can, over time, transform the entire system of governance.

Ineffective governance is currently depriving persons with disabilities of their basic rights and fundamental freedoms. This is not happening because of some malevolent conspiracy or intentional neglect but rather through micro-deprivations that limit the enjoyment of basic rights. These deprivations limit an individual’s agency and, as Sen notes (2000), also limit the individual from “living the type of life that they have reason to value.” This book explores the landscape of disability in Dubai and also points to the factors and conditions that would have to change for Dubai to rise to the top of the list of the world’s most inclusive cities.

### *An Introduction to Dubai*

My host was an energetic local doctor who in 2007 was leading Dubai’s first cross-sectoral push to develop disability services. He and his colleague Dr. Sandra Willis, an American trained psychologist and disability advocate, were the first to provide me with the rare opportunity to assess the flourishing twenty-first-century urban anomaly. My host was tasked by the Executive Council of Dubai (TEC) with developing innovative approaches to disability rights and policies for the Emirate. During my first few days, I noticed that Dubai was—by any account—an extreme case. It was constructing city-sized mega-projects. Dubai effectively capitalized on and in many ways led the economic transformations taking place across the region. I had asked my host, “What place do persons with disabilities have in all this?” To which he answered, “They have to benefit equally from all the development; they have to be included—that is what my team and I are trying to do.”

What truly struck me were not only the articulate intentions of people like my young and generous host but also comments made by the Ruler, Sheikh Mohammed bin Rashid, who had just assumed his role. Dubai was

presented as an incubator for tremendous experiments in city planning and regional development. Why not study one government's local efforts to address this timely emerging global issue, inclusion? I was motivated to study the unlikely combination of "inclusion" and "Dubai." Dr. Scott Rains, a friend and colleague, wrote a popular accessibility blog called *The Rolling Rain Report*. His blog entry on inclusive tourism in the UAE further piqued my interest, "*Mohammed bin Rashid Al Maktoum of Dubai: A Fair Sheikh for Travelers with Disabilities.*" In the article, Rains (2005) quotes the Travel Impact Newswire as stating:

The Dubai government says it plans to ensure that the \$100 billion worth of tourism projects emerging in the emirate cater to the needs of disabled travelers and has called on all its stakeholders to join in the creation of a society that cares. Noting that, "we are all at some point in our lives, disabled people," the government says that building a vision for the future as a preferred tourism and business development centre has to include a "future for the disabled as well."

I sensed that the quotes were aimed at attracting disabled tourists and that they may have been falsely attributed to the "Fair Sheikh," Mohammed bin Rashid Al Maktoum. I immediately wondered if the \$100 billion worth of tourism projects would indeed cater to the needs of persons with disabilities or if this was simply a marketing scheme to reach an untapped market demographic. Furthermore, did the "society that cares" cater to the disabled residents as well, or only to its disabled visitors?

Conventional wisdom would say that building an inclusive rights-based city would require increasing the pace of desperately needed social policy reforms. Was this already underway? Were programs being formed to increase institutional capacity across sectors and scales? More importantly, would persons with disabilities participate by sharing their voice and vision for Dubai? In 2005, these were the questions that interested me. These were areas that I believed I could contribute to. Before me was an opportunity to make an impact.

While reading up on Dubai, I discovered that the "future for the disabled" was indeed underway. On September 12, 2006, *Gulf News* published an article entitled, "Law Removes Barriers for People with Special Needs."<sup>6</sup> According to the article, the UAE's first law to protect the rights

<sup>6</sup>Up until 2018 the dominant reference to people with disabilities in the UAE was people with special needs. This book attempts to keep historical references in the media to the

of People of Determination was approved by the President, H.H. Sheikh Khalifa Bin Zayed Al Nahyan. The UAE had enacted Federal Law No. 29 of 2006 into law (Salama 2006). According to Wafa Hamad Bin Sulaiman, Director of the Department for People with Special Needs at the Social Affairs Ministry, the law was comprehensive, “matching international standards, providing equal rights, opportunities, and choice for persons with disabilities” (Salama 2006). But what did all this mean? She indicated that Federal Law No. 29 of 2006 in Respect of the Rights of People of Determination<sup>7</sup> removes all barriers to equal opportunities for persons with disabilities and guarantees their right to a decent life and comprehensive care in education, training, health, and rehabilitation (Salama 2006). Those were undoubtedly ambitious goals and I was hungry to find out how they would be implemented, so I kept reading on. The law, she said, guarantees an unspecified job quota for people with disabilities in the public and private sectors, promises improved accessibility to public buildings and residences, and will result in the integration of People of Determination into public and private schools (Salama 2006). By this point, I realized that a unique opportunity existed for me to document and engage with this historic transformation. Dubai was indeed charting a new path, but would it be able to stay the course?

Between 2002 and 2006 I participated in the development and drafting of the CRPD. I wondered to what degree Federal Law No. 29 was based on the principles of the CRPD. I was curious to compare the content of this law to what is commonly referred to as the “Disability Treaty.” Here was an opportunity to track the CRPD and its implementation in one of the most entrepreneurial and innovative cities in the world. I had thought about a variety of challenges that would need to be addressed at the local level and often wondered how they could be overcome. A few days later, I discovered that the Dubai Executive Council (a local policy and planning body of Dubai) held a high-profile press conference to announce the launch of an

terminology used at the time. After 2018 people with disabilities started being referred to as People of Determination.

<sup>7</sup>It is important to note that early in 2018, the UAE federal government changed every reference to special needs and people with disabilities to “People of Determination.” This included the name of the law itself, which was amended from UAE Federal Law No. 29 of 2006 in Respect of the Rights of People with Special Needs to UAE Federal Law No. 29 of 2006 Concerning the Rights of People of Determination. For consistency throughout this book, I will use the updated name, not the name originally assigned to the law at the time it was enacted.

innovative, cutting-edge local agency branded as *Takamul: A barrier-free society*. The word “takamul” in Arabic means completion, indicating that no society is complete if it leaves out people with disabilities. Takamul was promoted as a “center for excellence on disability issues” and would usher in cross-sector reforms and inclusive and empowering programs for persons with disabilities. Dubai signaled to the world (and to me) that its massive urban, social, and economic transformation would be inclusive of persons with disabilities. During this frenzy, Her Excellency Maryam Al Roumi, the recently appointed Federal Minister for Social Affairs, reemphasized her government’s commitment to developing, enacting, and implementing Federal Law No. 29 in Respect of People of Determination and promised to sign the UN Convention on the Rights of Persons with Disabilities. She made good on part of that promise two years later in New York when on August 2, 2008, she signed the Convention on behalf of her government.

By the end of 2008, I had documented progress in the field of disability rights in dozens of countries, including the UAE. I kept thinking about my past visits to the UAE and began wondering to what extent these laws impacted the daily lives of persons with disabilities. To what degree would such laws change institutional patterns and social behavior in the UAE? What had thus far been done and how much farther did the UAE have to go? What barriers could proponents of this law confront and how could they mitigate them? I kept returning to the UAE documenting their progress and mapping out a history and evolution of this extreme urban transformation.

### *Collecting Evidence*

This book identifies the implementation and practice of disability rights in the Emirate of Dubai and presents a new evaluative framework for assessing the current state of these rights. The framework is then applied across nine dimensions of public policy: education, health, employment, political and public participation, accessibility, awareness raising, independent living, rehabilitation, and mobility.

After nearly 12 years studying the development of disability rights in Dubai, it has become clear that social change takes much longer than expected. By the time of this writing in 2019, we are beginning to see the early effects of Federal Law No. 29 transforming the country. Most of the data presented, however, focuses on the time period from 2007 to 2014. Future scholars will have the task of tracing the continued developments.

The undertaking was momentous. I collected participant observations, undertook media and content analysis, participated in focus groups, and undertook semi-structured interviews with a variety of stakeholders in Dubai. Official government reports, relevant newspaper articles, and academic journals were also used to assess the current state of disability programs and policies. Field notes from observations, focus groups, and expert interviews strengthened the protocol used for this study by providing insights that further guided my research into the successes and failures of local implementation. In the cases where arguments from absence are presented, I attempt to determine the gap between the content of the legislative measures with the demonstrable lived experience of persons with disabilities. A convenience sample survey distributed at Dubai Festival City Mall provided a local baseline in attitudes toward persons with disabilities. This extended process of conducting surveys, interviews, and focus groups over the period from 2007 to 2019 helped to gain a perspective of how disability is situated in the UAE through various dimensions and at varying scales. This is the first book to provide a detailed account of the social and policy gaps in implementing international disability rights laws at national and local levels in Dubai.

### *Developing a New Theoretical Framework for Assessing Inclusion*

A holistic conceptual model called the Capability Model of Disability (CMD) is presented herein as a theoretical framework to address the gaps that impede the social inclusion of persons with disabilities. The CMD that I present builds off other scholars and follows the twin-track approach to inclusive development. It is based on concepts and norms outlined in the CRPD and provides assessment criteria linked to an implementational concept that specifically defines what successful outcomes for disability-related urban policies and programs should be. This framework is informed by the work of my mentor and friend, Nobel Prize-winning economist Amartya Sen, human rights scholar Sophie Mitra, and practitioner Kay Nagata, and other leading figures in philosophy, urban planning, international development, and disability studies.

The CMD offers three fundamental features to the field of urban planning. First, the model characterizes disability as a failure between an individual and their physical, social, or institutional environment along some dimension rather than as a deviation from the norm of human functioning that is independent of the individual's environment. Second, the model

offers a basic (not a comprehensive) development-based framework for inclusive policymaking along the following dimensions—four basic functionalities (health, rehabilitation, education, and employment) and five basic freedoms (mobility, accessibility, being included in the community, political and public participation, and awareness raising). Social protection spans both dimensions, but due to limited access to data, it could not be incorporated into the initial fieldwork. Third, the model introduces the concept of *saliency*. In this context, saliency refers to the cultural coherence and proclivity for a society to adopt international human rights norms at a local level. These three features frame an in-depth case study that assesses disability rights in the Emirate of Dubai.

### *Developing an Evaluative Framework for Implementation*

Implementing comprehensive disability rights legislation like Federal Law No. 29 is an iterative process and as such progress is often difficult to measure. Policies and programs that aim to improve the lives of persons with disabilities routinely fall short of developing the kind of holistic approach that addresses the roots of inequality. I conducted 90 interviews, collected 900 surveys, conducted three focus groups with a total of 80 participants, and participated in direct observations of schools, hospitals, public transportation infrastructure, places of employment, and other government programs in an effort to understand how disability was being addressed and what the real opportunities were for people like myself who may be living with a disability. It was also vital for me to collect and read through nearly a thousand government documents and newspaper articles, which provided primary source material that I could compare against other academic journal articles and books. The case study herein attempts to evaluate the implementation of Federal Law No. 29 and the CRPD at both federal and local levels by assessing:

1. **Law:** Content of the legislative measure
2. **Leadership:** Executive and budgetary support
3. **Institutional Capacity:** Administrative and coordinating capacity of the implementing bureaucracies
4. **Attitudes:** Beliefs that form the social context and positioning of persons with disabilities
5. **Participation:** Representation of persons with disabilities and their allies

The study benchmarks progress along these key features for three main reasons. First, I developed grounded theory based on findings from interviews and focus groups. Second, interviews with subject matter experts on the CRPD verified these criteria as aligned and fundamental to effective policy. Third, contemporary literature in the fields of public policy, public administration, disability studies, and international human rights law also indicates the validity and necessity of a comprehensive approach capable of generating a more nuanced understanding of institutional capabilities.

The city-state of Dubai presents an opportunity to observe the emergence of a global city as well as government commitment to the needs and rights of a portion of society that has previously been regularly overlooked. The implementation of Federal Law No. 29 thus provides the lens to view how legislation can begin to transform both an environment and the social norms that allow the human potential of persons with disabilities to be realized.

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