

**ARCHITECTURE, POLITICS AND DISABLED PEOPLE RIGHTS A STUDY,
DISCUSSION AND COMPARISON OF THE TURKISH AND THE JORDANIAN LAW
ON THE RIGHTS OF DISABILITIES****Alaa Firas Alaulddin AL-HESHMA
ORCID 0000-0002-1115-5011**Faculty of Art, Design and Architecture, Department of Architecture, Istanbul Okan University, Istanbul,
Turkey**Abstract**

Disability is one of the critical social and health issues in most countries due to the diversity and complexity of modern life evolution. Traffic accidents, wars and other diseases that cause many genetic or acquired disabilities. Benefiting of society development through the rehabilitation and training of the disabled in an environment designated for him that considers his physical and psychological needs by applying the most important design standards for all building's types.

Hence, the importance of the research is that it is an attempt to verify the suitability of the internal architectural space for people with disabilities and its impact on them. The internal procedure for people with disabilities through the local study case and analysing it properly.

From this perspective, the research came to discuss a problem represented in the following question: Why was not considering the design foundations and standards of interior spaces for disables in interior design of the study case despite the importance of this segment.

It is necessary to know the main cause of this problem, is it the architect or the politician?

By studying the laws of two countries and focusing on the building legislation for disables to reach a conclusion whom the reason.

Keywords: architecture, politics, disabilities, Turkish law, Jordan law, legislation, human rights.

Introduction

It is strange to think that architecture is a separate entity from everything in fact it is a tool of repression used by politicians to implement their desires. The relation between architect and politician is an old historical relation it is have benefits for politician with loyalty from people and architect by money, power, fame as long as it is serving politically.

History shows that most famous architects in ancient history have a relation with politicians and there architecture became an ideological means of repression and the imposition of political power.

And this relationship between the political and the architect continued until the present time, with a change in the general form. In the past, innocent people paid their lives for this relationship, which in many cases was a tool for killing and destruction, and it has not changed until today.

Today, we pay a price through laws and legislation that destroy human life and the sick environment, and the disabled are not separated from this relationship that established rules and legislation that destroyed the lives of the disabled.

In 2016 I was one of the young architects who participating in the (fifth international architectural conference in Amman). The conference was for three consecutive days my curiosity on the first day was the existence of a young lawyer in the twenties of age who listen to the architectural seminars. On the third day in the final, he asked to speak about the architects. And he said: you, as an architects, are responsible for all innocent people whose killed by politicians because you are a double-edged sword that can build the land or can be a policy tool to oppress people and kill them, I ask you to be the builders of the present and the future.

Definitions

- Politics: the activities of the government, members of law-making organizations, or people who try to influence the way a country is governed
- Architecture: the art and practice of designing and making buildings.

- **People With Disabilities:** A disability is any condition of the body or mind (impairment) that makes it more difficult for the person with the condition to do certain activities (activity limitation) and interact with the world around them (participation restrictions).
- **Law:** the principles and regulations established in a community by some authority and applicable to its people, whether in the form of legislation or of custom and policies recognized and enforced by judicial decision.

History of People with Disabilities

People with disabilities were stigmatized as being poor, tragic, miserable, and unable to contribute to society except as mocked amusement in circuses and exhibitions during the 1800s. Numerous people were made to undergo sterilization since it was believed that they were aberrant and mentally impaired. Additionally, institutions and asylums were required to admit people with disabilities, where many of them lived their whole lives. Although the "purification" and segregation of people with disabilities were seen as humanitarian measures, they ultimately worked to keep these people concealed from a prejudiced and terrified community.

Up until World War I, when disabled soldiers anticipated that the US government would offer rehabilitation in return for their service to the country, the marginalization of those with impairments persisted. Technology and government support both underwent significant breakthroughs in the 1930s in the United States, which helped disabled people become more independent and self-sufficient.

Veterans of World War II who were disabled put increased pressure on the government to give them rehabilitation and job training in the 1940s and 1950s. Veterans of World War II brought disability issues to the attention of a nation of appreciative people who were worried about the long-term welfare of young men who had given their life in order to ensure the safety of the United States.

Despite these early strides in independence and self-reliance, there was still a lack of accessibility for individuals with disabilities to public transportation, phones, restrooms, and shopping. People with impairments who sought employment could not enter office buildings or workplaces with stairs, and employer attitudes imposed even greater barriers. People with impairments who were otherwise skilled and qualified were denied the chance to pursue meaningful employment.

Disability advocates recognized an opportunity to band together with other minority groups to demand equal treatment, equal access, and equal opportunity for persons with disabilities as the civil rights movement started to take shape in the 1960s. The fight for disability rights has followed a similar path to many previous civil rights groups, fighting against prejudice and stereotyping, organizing for institutional and political change, and advocating for the right of a minority group to self-determination.

Local disability rights activists organized to demand national action to remove the physical and societal obstacles that the disability community faces.

Disability activists started to advocate in the 1980s for the enactment of a single, comprehensive civil rights law that would safeguard the rights of persons with disabilities, much like the 1964 Civil Rights Act had done for Black Americans. People with disabilities were not covered by the Civil Rights Act of 1964, which forbade discrimination on the basis of race, religion, national origin, or gender.

The Americans with Impairments Act (ADA), which insured that people with disabilities received equal treatment and access to employment opportunities and public accommodations, was passed in 1990 after years of activism and lobbying.

The ADA's passage imposed urgent legislative requirements to guarantee equal access and treatment for those with disabilities, but ingrained presumptions and stereotypical biases did not instantaneously vanish with the sign of a piece of paper. The stereotypical representation of people with disabilities in media and entertainment, physical hurdles to voting booths, schools, and housing, and a lack of accessible healthcare mean that persons with disabilities continue to confront discrimination and hostility.

- A brief history of Jordan's related disability laws

A Provisional Act for the Welfare of Disabled People was passed in Jordan in 1989. The Act for the Welfare of Disabled People was established in 1993. The Disabled Individuals Rights Act was updated and took this Act's place. Jordan received the Franklin Delano Roosevelt International Award for Disability in 2005. A new plan for people with disabilities was unveiled in 2007 by King Abdullah II and focused on issues including employment, awareness, and health. In 2008, Jordan ratified the CRPD (Convention on the Rights of Persons with Disabilities). Jordan created the

Higher Council for Persons with Disabilities as a stand-alone national organization in charge of formulating and implementing policy.

The Disable People Rights Law (2007) was reviewed by the Higher Council for People with Disabilities in 2016, and a new law was drafted as a result. The Jordanian Lower House approved the new law on the rights of people with disabilities (PWD) in May 2017. Informed consent is a provision of the new law that enhances decision-making autonomy. Additionally, it reiterates disabled people's rights to employment and education. While there has been progress, a number of additional Jordanian laws need to be updated in order to empower people with disabilities because they are at odds with CRPD principles.

- A brief history of disability rights in turkey

The number of disabled people in Turkey is 13% of the total population, or around 8.5 million people, according to the most recent disability census, which was done in 2002. As a politically neutral topic in Turkish politics, disability is typically included in political campaigns mostly through charitable organizations. Even so, as seen generally in the chronology, the Turkish Government has made several policy decisions.

Although organizations to address the issues encountered by the disabled were established in the late 1990s, the primary change came in 2005 with the adoption of Law No. 5378, also known as the "Turkish Disability Act," which mandates a thorough rights-based strategy for the disabled. The UN CRPD, which promotes equal access to human rights and freedom for the disabled, was also signed by Turkey in 2007. Additionally, the Disability Act was amended in 2014 to reflect the CRPD and outlaw discrimination based on disability.

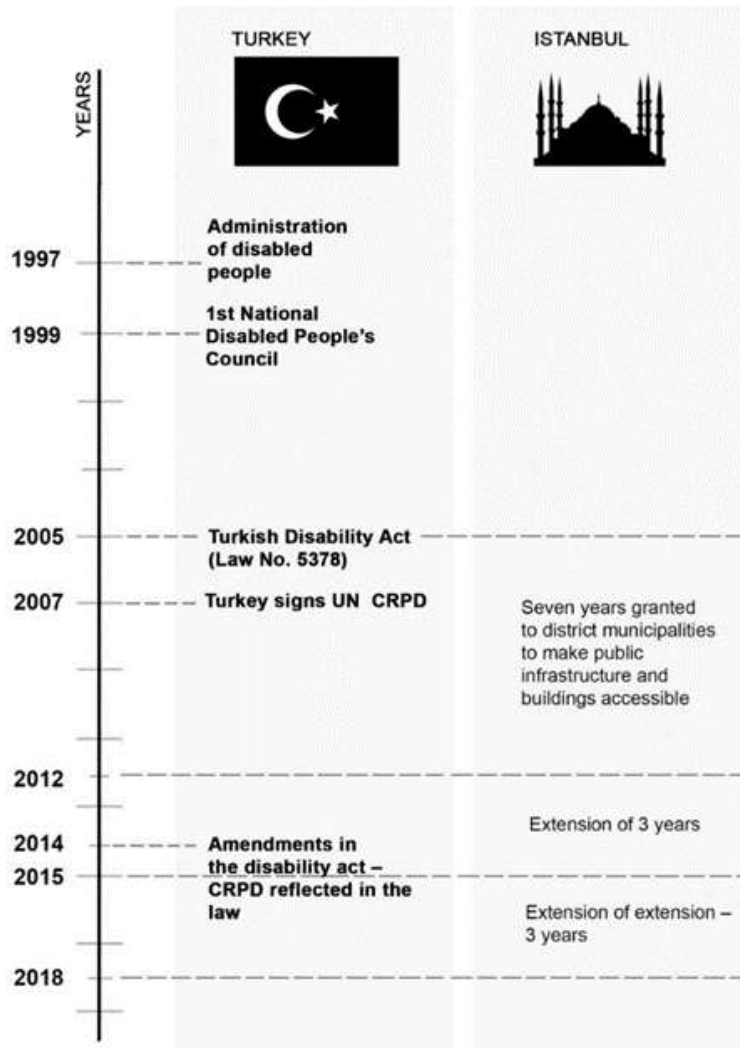


Fig. 1 turkey disability act timeline

General information about Turkey and Jordan

	Jordan	Turkey
Region:	Western Asia	Western Asia
Area:	89,320 km ²	785,350 km ²
Official language:	Arabic	Turkish
Government form:	Parliamentary constitutional monarchy	Parliamentary republic
Independent since:	1946 AD	1923 AD
Capital:	Amman	Ankara
Population:	10,269,000	85,043,000
Inhabitants/km ² :	115.0	108.3
Daytime temperatures:	27.4 °C	20.3 °C
Nighttime temperatures:	14.2 °C	9.2 °C

Water temperature:	22.6 °C	17.5 °C
Rel. humidity:	35 %	63 %
Arabic:	97.9 %	1.4 %
Turkish:	n/a	87.6 %
Kurdish:	n/a	10.6 %
Islam:	94.2 %	99.0 %
Christianity:	5.0 %	0.2 %

Table. 1 General information about Turkey and Jordan

Turkish Law on Disabled People and The Jordanian Law on The Rights of Persons with Disabilities

- The Hashemite Kingdom of Jordan Law No. (20) for the Year 2017 Law on the Rights of Persons with Disabilities Act

For the purpose of implementing the provisions of this Law, a person with a disability is defined as a person who has long-term physical, sensory, intellectual, mental, psychological or neurological impairment, which, as a result of interaction with other physical and behavioural barriers, may hinder performance by such person of one of the major life activities or hinder the exercise by such person of any right or basic freedom independently.

Major life activities mentioned in Clause (a) of this Article include the following:

1. Eating, drinking, administering, self- care, reading and writing.
2. Movement and mobility.
3. Interaction and concentration, expression and verbal, visual and written communication.
4. Learning, rehabilitation and training.
5. Work.

- Turkish Law on Disabled People

Disabled is the person who has difficulties in adapting to the social life and in meeting daily needs due to the loss of physical, mental, psychological, sensory and social capabilities at various levels by birth or by any reason thereafter and who therefore

need protection, care, rehabilitation, consultancy and support services. The objective of this Law is to prevent disability, to enable the disabled people to join the society by taking measures which will provide the solution of their problems regarding health, education, rehabilitation, employment, care and social security and the removal of the obstacles they face and to make the necessary arrangements for the coordination of these services.

- A general comparison of the text of both Turkish law and Jordanian law

In this part, the two laws will be presented briefly without going into the details of each of the laws in order to know the points of similarity and difference between the two laws and in order to reach the legislation dedicated to architectural construction for the disabled in each of the two laws.

comparison table:

	Turkey	Jordan
scope	This law covers the disabled people, their families, the establishment and organizations serving towards the disabled people and other concerned ones.	disabled people, their families and organizations
number of articles	52	52
number of articles	Yes	Yes

Objectives of the law	Classification, Care, Rehabilitation, Employment, Education, Analysis of Job and Profession	The respect for the inherent rights and dignity, acceptance, national policies, strategies, plans, and programs and develop
number of institutions involved	16	11
Food and Drug Administration (FDA)	The text of the law contains a set of legislation	The text of the law contains a set of legislation
The ministry of health	The text of the law contains a set of legislation	The text of the law contains a set of legislation
The ministry of social development	The text of the law contains a set of legislation	The text of the law contains a set of legislation
Architecture	Unfortunately, the law does not contain a direct text	entrust it to The Ministry of Public Works and Housing, Greater Amman Municipality
Number of legislations related to design for the disabled	Does not contain regulations	The law contains two regulations.

Table.2 A general comparison of the text of both Turkish law and Jordanian law

After the two laws were defined, it became clear that the two laws are similar in several aspects, especially their neglect of the legislation on the architectural aspect. In fact, this disregard is not coincidentally, but is neglected for several reasons, the most important of which is the lack of sources and references specialized in this field, and the silence on the part of the architect, the legislator, who is not interested in this field because of the lack of support from governments.

Neglect in legislation and design foundations in the field of people with disabilities is not limited to laws, but is also found in architectural references and sources that summarize the disabled people in an inappropriate way just in a few pages that do not express the scale of the actual need. This indicates the responsibility of the architect and politician in the existing neglect towards Disabled.

Architectural space is more than just the simple space around us We perceive it as the physical form through its obvious characteristics such as length, width, scale and shape Geometrical, as well as texture, colour and lighting, space possesses other abstract and complex qualities It's hard to talk about.

They are symbols, laws, and abstract parts that make up meaningful things large in space, and in order to understand these spatial qualities, some important key elements appear as a relationship human, and space. The physical environment we create is a social phenomenon rather than a physical one. the architectural space for the person or the user, so he must meet his needs, tastes and desires.

We cannot judge a void only by its true dimensions, the number of meters Length, width, and height have no value if it is not placed within the context of what we call it the scale, the vacuum scale is what we truly perceive. The human being is the main reference scale in architecture. Design practices neglecting the needs of people with disabilities Architects and other property professionals in the UK receive little or no training in the design needs of persons with disabilities, while the Royal Institute of British Architects (RIBA) (1998) refers only to the building needs of persons with disabilities in the body, The design texts, such as Neufert Architects' Data (1980) or the New Standards Handbook (Tutt & Adler, 1994), It also reinforces the common perception of architects that the bodies they seek to design revolve around a set of physical criteria. So, they are potential sources of denial of diversity and physical difference. When design professionals, such as architects or interior designers, integrate the needs of all persons with disabilities, there is a tendency to underestimate Disability to a unique form of impaired mobility, a wheelchair user. All the needs of the disabled are reduced to a set of legal legislation that has nothing to do with reality and does not stem from the real needs of the disabled, but only to say that the country, the architect or these building respects the

rights of the disabled. In an inhumane way, the name of the disabled is used in order to achieve political interests and fame for architects.

Example:

GENERAL INFORMATION ABOUT KONYA:

Konya is the largest province of Turkey in terms of acreage. It is composed of 31 districts 3 of which are central districts; Meram, Selçuklu and Karatay. Konya has been a significant settlement area for many civilizations throughout the history and it combines its historical heritage and cultural accumulation with present time. The city of Konya is considered the first place of the permanent settlements which became a center for many societies, nations and civilizations from Çatalhöyük to Hittites; from Phrygians to Cimmerians; from Lydians to Persians; from Greeks to Great Iskender; from Romans to Seljuks, Ottomans and the period of the Republic of Turkey.

KONYA RAILWAY STATION

The Konya Railway Station, which is situated in the Meram Central District, is an important landmark. It was constructed close to the city's main square, Alaeddin Hill, Mevlana Tomb, and a busy commercial street.

Students and workers are the main users of the Konya Railway Station, especially those traveling between Konya and Ankara. The guidance boards inside Konya Station were studied in terms of the ability of people with special needs to interact with them.



Fig. 2 KONYA RAILWAY STATION

Your professional decisions may be influenced by your color vision. Because they worry about being criticized or missing out on possibilities, many colorblind people choose not to disclose their condition. There is still no treatment for color blindness. In some circumstances, tools like spectacles or contact lenses with color filters can help to increase the brightness between some hues. However, many colorblind people discover that these actually make their confusion worse rather than better.

Maps that rely too much on color can be very confusing for color blind viewers.

You could get into serious trouble if your destination is in the blue or green room.

Why is this a problem?

Look at the maps, please. If you are not color blind, the color scheme depicted has a pleasant green-yellow-red tone. However, the identical map seems to have only one color to someone who is color blind.

Making one of the gradient's endpoints darker won't be enough for maps with contrasting color schemes. Red-green, orange-green, blue-green, and yellow-pink gradients must all be avoided.

Already choosing colors for charts and maps can be challenging. It can be difficult to ensure that your graphic is accessible to colorblind users. Of course, there are many tools available to assist in the creation of charts, but most of the time we're either too lazy to perform the additional checks or we completely ignore our color-blind audience.

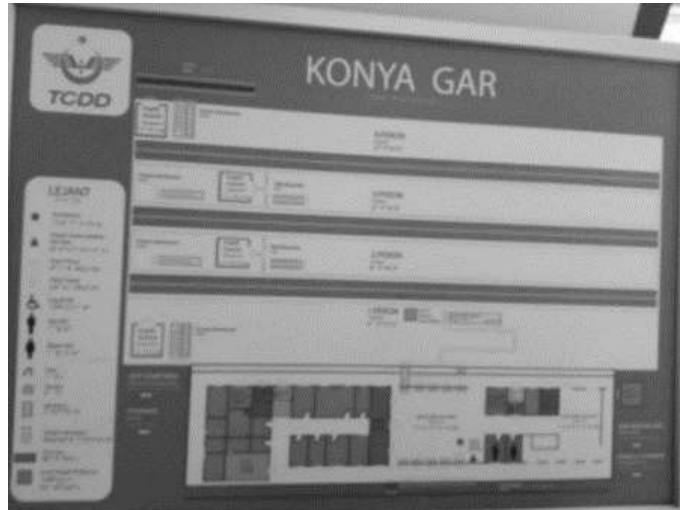


Fig. 3 KONYA RAILWAY STATION Monochromatic view



Fig. 4 KONYA RAILWAY STATION Dichromatic view

KONYA TRAINING AND RESEARCH HOSPITAL



Fig. 5 KONYA TRAINING AND RESEARCH HOSPITAL



Fig. 6 KONYA TRAINING Dichromatic view

**Fig. 7 KONYA TRAINING Monochromatic view****Fig. 8 KONYA TRAINING Monochromatic view****Imprisonment inside a chair-Amman**

Imprisonment inside a chair. Amman is a repellent environment for people with mobility disabilities. If you are among the four million people living in Amman, you must be aware of the difficulty of getting from one place to another without a private car or public transportation. However, if you are one of the approximately 365,000 people with disabilities, leaving your home on the street will be a huge hassle.

-Abdulrahman Salama, 37, has been moving around in Amman in his wheelchair since he had to use it 20 years ago.

**Fig. 9 Abdulrahman****Fig. 10 Abdulrahman**

Here two young men take the initiative in front of the door of their shop to carry Salama over his wheelchair 10 steps down and then like her up until he exits from the other side of the street.

I want someone to help me from the front," he appeals to Salama, and one of them calls out, "Yalla, Ahmed.

One, two raised young people." Upon arrival at the opposite party, one of them stays with Salama and helps him wave a taxi, while the rest return to their shops to sell bags and gifts.

"Amman is zero palmiya for people with disabilities," he describes the city's state of affairs.

The problem increases if you try to look for work, he adds, adding that it is difficult for most banks to enter grocery stores and supermarkets or enjoy visiting tourist places. Then he asks, "Isn't it my right to visit these places?"

The suffering of this topographic segment of the city, which stretched from seven mountains before 2000 to 20 mountains and now a 1,700-square-kilometer knoll, is exacerbated. Roads wrap around its perimeter and in its reads like a toy of ladder and snake while its narrow, uneven drawers intersect amidst its buildings set with white stone.

By tracing Salameh's paths and ten of his peers and peers, the investigators proved that the city's buildings, alleys, streets and sidewalks are not prepared for the use of people with motor and visual disabilities in complete independence.

Conclusions

The human being is considered a wealth and its investment advances the society in all respects. Therefore, disability is not the responsibility of the state alone, but it is a shared responsibility between the state and society, including its specialized institutions, in addition to the responsibility of the family and the disabled themselves, and on all bodies, institutions and associations working in the field of care and Rehabilitation of the disabled, solidarity and cohesion to

solve the problems of this group and work on asking each competent authority to work on integrating this group and taking care of them medically, physically and psychologically so that they are useful for themselves first and then for their community to be independent in economic and social terms.

Therefore, attention must be paid to supporting them and achieving their desires and needs by providing an appropriate and supportive space for them, as the architectural space meets psychological needs, not only functional, and also works to raise morale, support capabilities, and improve their negative outlook in many times towards themselves.

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