

Legal and Ethical Research on the Protection of the Rights and Interests of People with Disabilities

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Abstract: With the progress of our society and the improving awareness of human rights, protecting the rights and interests of people with disabilities has become an essential issue in the new era. This paper takes the protection of the rights and interests of people with disabilities as the research object. It analyses the current situation, challenges, and opportunities for protecting the rights and interests of people with disabilities in China from legal and ethical dimensions. Firstly, the evolution and improvement of the legal framework for protecting the rights and interests of people with disabilities in China are reviewed, and the connotation and extension of ethical principles in protecting the rights and interests of people with disabilities are explored. Secondly, it reveals the challenges faced by the protection of the rights and interests of people with disabilities at the legal and ethical levels, including insufficient legal protection and outdated social concepts. Furthermore, the paper explores the new opportunities brought by technological progress and industrial development for the protection of the rights and interests of people with disabilities, such as the role of supporting technological innovation and promoting industrial policies. Finally, from the perspective of optimizing governance and multi-party sharing, the prospects for protecting the rights and interests of people with disabilities are proposed, emphasizing the importance of improving legal regulations, innovating social governance, and promoting positive interaction between policy decision-making and public participation.

1. Introduction

The protection of the rights and interests of people with disabilities is an essential responsibility for China's social development and human rights protection, and it is also an important indicator for measuring the level of social civilization. In order to better protect the rights and interests of people with disabilities, China has also entrusted relevant departments to carry out the transformation of accessible environments and the updating of social concepts. Since the implementation of the law on the Protection of People with Disabilities, the protection of the rights and interests of people with disabilities has become the key to social fairness and justice, and legal and ethical principles have become indicators for evaluating social progress. Unlike traditional disability protection, modern disability rights protection emphasizes the improvement of legal frameworks, the implementation of moral principles, and technological innovation. [1] Therefore, a new issue of protecting the rights and interests of people with disabilities has been proposed, and the integration of legal and ethical principles provides a new way to protect the rights and interests of people with disabilities.

The protection of the rights and interests of people with disabilities originates from the people-centered concept of social development, whose legal framework contains ethical principles, and it is also a tool for achieving social justice.[2] From the perspective of social governance structure, pursuing the rights and interests of people with disabilities is conducive to safeguarding social justice and achieving social modernization through the combination of legal and ethical principles. However, it only stays at the theoretical level. At present, China has embarked on a path of protecting the rights and interests of people with disabilities that is in line with its national conditions. Therefore, discussing the protection of the rights and interests of people with disabilities must have a global perspective and pattern. Therefore, in the new era, the proposition of protecting the rights and interests of people with disabilities has been proposed.

In short, protecting the rights and interests of people with disabilities is a necessary condition for achieving social fairness and justice. From the current perspective in China, progress has been made in protecting the rights and interests of people with disabilities, but there are still shortcomings. China has not yet fully identified effective methods for protecting the rights and interests of people with disabilities, and efforts are still being made to explore them. Therefore, further research is needed to protect the rights and interests of people with disabilities, which not only helps to improve the legal framework but also promotes social fairness and justice.

Based on the above background, this paper proposes a research framework that combines law and ethics to protect the rights and interests of people with disabilities, aiming to improve the system of protecting the rights and interests of people with disabilities and solve the problem of protecting the rights and interests of people with disabilities through legal and ethical principles. Its main content is to improve the legal framework, moral principles, and technological innovation, effectively addressing the risks of protecting the rights and interests of people with disabilities. It also has essential significance in promoting social fairness and justice.

2. Legal Framework and Ethical Principles: The Foundation for Building a Disability Rights Protection System

2.1 The Evolution and Improvement of Legal Content

The legal framework and ethical principles are concepts developed in parallel with the protection of the rights and interests of people with disabilities. They are imbued with human rights and social justice concepts, demonstrating the integration of law and ethics and reflecting China's strategies in protecting the rights and interests of people with disabilities since the new era.[3] However, it is still difficult to obtain a comprehensive explanation when we attempt to construct the definition and essence of legal frameworks and ethical principles using certain traditional standards. The evolution and improvement of legal content are shown in Figure 1.

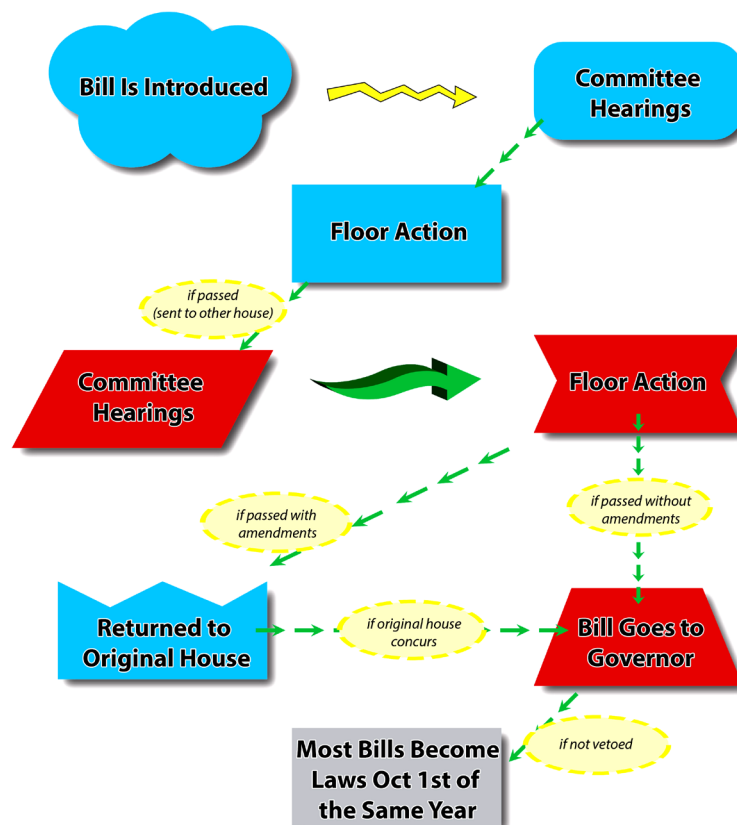


Figure 1 Evolution and Improvement of Legal Content

2.2 The Connotation and Extension of Ethical Principles

Ethical principles are important standards for safeguarding the rights and interests of people with disabilities, and they are expressions of value for human rights and social justice. Scholars such as Kant and Bentham have discussed different definitions of ethical principles from the perspectives of moral philosophy and utilitarianism.[4] Some scholars also believe that ethical principles are social justice or moral behavior norms. It is precisely because ethical principles are universal to some extent and belong to the value of science with moral purposes. The philosophical history of ethical principles can even be traced back to ancient Greece, with its main activities including moral judgment and the formulation of ethical norms. The concepts and theories of ethical principles are closely related to society's values. Through it, protecting the rights and interests of people with disabilities has become an important responsibility of society. The main contribution of modern ethical theory is the proposal of universal ethical standards and rights protection. Therefore, ethical principles initially focused on measuring rights based on moral standard attributes.

3. Challenge and Response: Analysis of the Current Situation of Protecting the Rights and Interests of Persons with Disabilities

3.1 Insufficient Legal Protection: Obstacles and Dilemmas in Reality

Compared with the ideal state, the legal practice of safeguarding the rights and interests of people with disabilities emphasizes the mutual relationship between legal norms and social reality, which is characterized by complexity. Although some scholars question whether there is a direct relationship between legal protection and the actual lives of people with disabilities, most scholars advocate that legal protection can provide a rational evaluation of the rights and interests of people with disabilities.[5] These scholars believe that legal protection is normative and guarantees social justice. Only when the law is effectively enforced can the rights and interests of people with disabilities be protected. Therefore, legal protection is an inevitable result of protecting the rights and interests of people with disabilities. Some scholars have summarized legal protection as a legal model which is based on legal norms and social reality. The regulatory-based model focuses on improving legal norms, while the realistic model focuses on the effectiveness of legal enforcement, that is, realizing social justice. Although legal protection has experienced some practical failures, from the perspective of social development, it can promote social justice, and the concept of legal protection has gradually become a consensus in research and practice of protecting the rights and interests of people with disabilities.

3.2 Ethical Dilemma: The Conflict Between Ideas and Reality

The essence of the concept of ethical dilemma is the conflict between values and reality. Ethical judgment is the application of moral thinking in social practice. To overcome the shortcomings of traditional ethics, it enters the research field as a new alternative model - the ethical dilemma framework. Its basic philosophy is as follows: ethical principles should ensure the effective realization of the rights and interests of people with disabilities; Set professional standards for ethical decision-making output; Capture moral risks through ethical review and other techniques; Use ethical evaluation methods to measure moral behavior. The ethical dilemma framework reconstructs moral judgment, emphasizing the need to enhance ethical awareness and construct the rationality, fairness, sustainability, and effectiveness of moral behavior.

4. Technological Progress and Industrial Development: New Opportunities for Protecting the Rights and Interests of Persons with Disabilities

4.1 Innovation and Application of Aided Technology and Barrier-free Facilities

Aided technology is the main support for protecting the rights and interests of people with disabilities, reflecting the importance of technological progress in improving a barrier-free environment. The innovation and application of aided technology directly reflect society's attention

and respect for the needs of people with disabilities. Some constituent elements of the development of aided technology are gradually taking shape, and the research and development of aided technology and various evaluation systems are also gradually receiving attention. However, from the perspective of practical application, the practice of some aided technologies is still in the pilot stage, which is contrary to the actual needs of people with disabilities and the logical framework and generation mechanism of the barrier-free environment, which leads to the popularization and promotion of aided technologies.

4.2 Market Trends and the Driving Role of Industrial Policies

From the perspective of market trends, industrial policies are the fundamental link in protecting the rights and interests of people with disabilities, as well as the core embodiment of promoting the construction of barrier-free environments and social inclusiveness. It is essential to clarify the economic interests of enterprises in the research and development and production of barrier-free products and services.[6] The second is the formulation and promotion of accessibility standards. By establishing accessible product and service standards and making these standards public to society, standardized control of barrier-free environments can be achieved. The third is the internal process reengineering of enterprises. In recent years, many enterprises have used technological innovation methods to improve the quality of barrier-free products and services and enhance market competitiveness. However, the applicability of current barrier-free products and services still needs to be further improved to meet people's needs.

5. Optimizing Governance and Multi-party Sharing: Future Prospects For Protection of the Rights and Interests of People with Disabilities

5.1 The Perfection of Legal Regulation and the Innovation of Social Governance

The fundamental difference between legal regulation and social governance lies in their institutional attributes. The standards and ethical norms of legal regulation aim to protect the rights and interests of people with disabilities, and the development of law mainly reflects normativity and constraint. In the governance framework for protecting the rights and interests of people with disabilities, accurate understanding of the law, enforcement of the law, evaluation of legal effectiveness, and continuous legal improvement are the core values and highest standards of legal development. The diversity of current legal regulations and the differences in implementation effects have led to an imbalance in the protection of the rights and interests of people with disabilities.

5.2 The Benign Interaction Between Policy Decision-making and Public Participation

From a policy decision-making perspective, the government is unable to accurately provide all the information needed by people with disabilities. The public's feedback on policy decisions mainly relies on satisfaction evaluation, but the government lacks information and effective feedback mechanisms related to the actual needs of people with disabilities. The core of this problem may be information asymmetry. In policy decision-making, the needs of people with disabilities are often described as "special needs," and their satisfaction with the policy directly reflects its effectiveness. However, most of the information obtained by the government is about the basic situation of people with disabilities, and there is relatively little information on their specific needs and satisfaction evaluations. Usually, the actual needs and satisfaction of people with disabilities are difficult to measure. Asymmetric information and imperfect policy feedback mechanisms directly lead to obstacles in policy decision-making.

5.3 The Coordinated Development of Corporate Social Responsibility and the Protection of the Rights and Interests of People with Disabilities

From the perspective of corporate social responsibility, the level of participation of enterprises in protecting the rights and interests of disabled people has long restricted their ability to fulfill social responsibility. Since the 21st century, the concept of corporate social responsibility, which integrates social responsibility and economic benefits, has reshaped the social role of enterprises through

corporate governance. However, the drawbacks of traditional corporate social responsibility still restrict the in-depth protection of the rights and interests of persons with disabilities. Not only due to the limitations of the enterprise itself but also due to the influence of the external environment, corporate social responsibility still needs to be improved.[7] Under the premise of a market economy, corporate social responsibility is seen as a direct way to promote social justice. However, the actual role of profit-oriented corporate behavior in protecting the rights and interests of people with disabilities remains to be debated. Meanwhile, due to difficulties in information asymmetry, enterprises lack effective feedback and adjustment mechanisms when fulfilling their social responsibilities. Therefore, corporate social responsibility does not always seem to achieve the goal of protecting the rights and interests of people with disabilities. It is evident that corporate social responsibility is not only a technical challenge but also faces ethical and moral issues.

6. Conclusions

The protection of the rights and interests of people with disabilities has entered a new stage of development, which poses new challenges and requirements for legal and ethical research. The protection of the rights and interests of people with disabilities is not only a symbol of social justice and an important means of maintaining social harmony but also an important need to achieve social fairness and justice and safeguard the basic rights and interests of people with disabilities. Essentially, it reflects the inherent requirements of social civilization and progress. This paper constructs a theoretical analysis framework and practical mechanism for protecting the rights and interests of people with disabilities in the new era. In recent years, modern information technologies such as aided technologies and barrier-free facilities have promoted the development of the protection of the rights and interests of persons with disabilities. The value of empowering persons with disabilities through technological innovation and the accuracy of law and ethics is in line with the internal logic of the protection of the rights and interests of persons with disabilities. Therefore, based on the principles of law and ethics, it also provides a new path for protecting the rights and interests of persons with disabilities. In short, the sustainable improvement and development of the protection of the rights and interests of people with disabilities can help better meet their needs and promote social fairness and justice.

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