

Appropriate Administration and Activation of Legislation Pertaining to the Rights of Special Needs Persons: A Major Concern

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Abstract

This essay explores the administration and activation of laws pertaining to the rights of individuals with special needs. It draws attention to the discrepancy between policy and practice, pointing out that despite national laws of other nations like the Americans with Disabilities Act (ADA) and international frameworks like the United Nations' Convention on the Rights of Persons with Disabilities (CRPD), many people with special needs still encounter major barriers when trying to obtain basic services like work, healthcare, and education in Nigeria. The paper highlights how important it is for different stakeholders—such as legislators, public servants, attorneys, and disability advocacy groups—to work together to ensure that these laws are implemented effectively. The study also discovers enduring obstacles that impede the implementation of disability rights laws, including societal stigma, a lack of awareness, and insufficient funding. The study emphasizes the necessity of tackling the complex problems pertaining to the rights of people with disabilities in a more thorough and well-coordinated manner. In order to promote greater acceptance and integration of people with special needs into society, the conclusion emphasizes the significance of creating an inclusive culture. Strengthening public awareness efforts, providing adequate funding for the enforcement of disability regulations, and establishing accountability systems to guarantee adherence are some suggestions for addressing the issue. The text also urges cross-sectoral cooperation between the public, private, and civil society sectors, as well as the promotion of inclusive employment and educational practices.

Keywords: Appropriate, Administration, Activation, Legislation, Rights, Special Needs Persons, Major Concern

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1. Introduction

Legislation protecting the rights of special needs persons has evolved significantly, with both international and national frameworks designed to promote equality, access, and inclusion [1]. The United Nations' Convention on the Rights of Persons with Disabilities (CRPD) serves as a cornerstone for global advocacy, providing a comprehensive set of guidelines to cater to the rights of individuals with disabilities [2]. Many countries, including Nigeria, have established laws to protect these rights at the national level, including the Disability Rights Act and other local policies aimed at reducing barriers to education, healthcare, employment, and social inclusion. However, while these laws exist on paper, the gap often lies in their actual implementation, enforcement, and activation, which can hinder the effective protection of special needs individuals. This study seeks to critically assess the state of these legal frameworks and the challenges faced in their practical application.

Even with the existence of extensive legal frameworks, there are still many issues with how laws safeguarding the rights of people with special needs are actually administered and put into effect [3]. The proper execution of these laws is frequently hampered by a number of problems, including institutional impediments, societal attitudes, a lack of information, and insufficient resources. In many facets of society, people with special needs still experience prejudice, lack of access to opportunities, and exclusion from necessary assistance. These people may continue to be marginalized if legal rights are not adequately enforced. Thus, the problem lies not in the absence of legislation but in the gaps between policy and practice, creating a disparity that affects the lives of persons with disabilities.

The purpose of this study is to investigate how well the laws in place protect the rights of people with special needs. Using roughly 100 respondents, it will specifically look at the obstacles to the efficient administration and activation of such laws and pinpoint the things that prevent their complete implementation. This work is important because it has the potential to advance disability rights research and practical policy development. The study lays the groundwork for legal framework reform and enhancement by exposing the inadequacies in the implementation of special needs legislation. The findings can inform advocacy groups, policymakers, and organizations working to enhance the inclusion of special needs persons in society. Furthermore, this study offers a critical examination of how laws and policies can be more effectively implemented to ensure that the rights of special needs individuals

are not only recognized but also actively upheld. Ultimately, the research will contribute to creating a more inclusive society where special needs persons can fully participate in all aspects of life.

2. Legislative Frameworks on Special Needs Rights

Legislation aimed at protecting the rights of special needs persons has seen substantial development in recent decades, influenced by both international and national efforts to promote human rights and equality. The United Nations' Convention on the Rights of Persons with Disabilities (CRPD), adopted in 2006, serves as the most comprehensive international framework, aiming to ensure the full inclusion of persons with disabilities in society [4]. The CRPD outlines specific rights in areas such as education, employment, healthcare, and social participation, emphasizing the need for governments to create accessible environments and remove barriers that hinder the participation of people with disabilities.

The concepts of the CRPD are mirrored in national legislation that aims to incorporate these rights into local legal systems [5], such as the Americans with Disabilities Act (ADA) in the United States, and the Disability Rights Act in Nigeria. These legal frameworks require that people with special needs be treated equally and have non-discriminatory access to services in many nations. Even so, there are significant differences in how these laws are applied in different jurisdictions and how much they actually impact the lives of people with special needs.

At the national level, various countries have enacted laws to safeguard the rights of people with disabilities, aiming to ensure that their access to education, healthcare, and employment opportunities is not hindered by their condition. For instance, in Nigeria, the National Disability Act was signed into law in 2019[6], aimed at providing equal opportunities in education, employment, and healthcare, as well as promoting the inclusion of special needs persons in public life [7]. Other countries like the UK, through the Equality Act of 2010, also have comprehensive legal frameworks that enforce disability rights, ensuring that individuals with disabilities are not discriminated against in public and private sectors [8]. These legal frameworks, alongside international agreements like the CRPD, represent a significant step forward in the protection of special needs individuals. However, the challenge lies not in the formulation of such laws, but in ensuring that they are activated and adhered to in practice [9], with many of the

persons still encountering barriers in their daily lives, such as inaccessible infrastructure, lack of support in the workplace, and inadequate healthcare services.

3. Challenges in Enforcement of Special Needs Legislation

One of the primary barriers faced in the enforcement of the rights of special needs persons is the lack of awareness about the rights of persons with disabilities, both among the general public and within government institutions [10]. Many individuals, including those who are meant to enforce disability rights, may not fully understand the scope of these rights or how to implement them. This lack of awareness often translates into a lack of action [11], with government agencies and organizations failing to adequately address the needs of special needs individuals [12].

Additionally, insufficient resources allocated for the implementation of disability rights legislation remains a significant issue [13]. Public services for people with special needs are frequently underfunded in many developing nations, including Nigeria, and there is a shortage of personnel with the necessary training. Because of this lack of resources, people with special needs may not receive the proper support and may be denied access to essential services like specialized healthcare specialists, accessible transportation, or sign language interpreters. The administration of disability rights can occasionally be made more difficult by the lack of explicit enforcement standards.

Another significant challenge in the enforcement of special needs legislation is societal attitudes towards people with disabilities[14], which can impact both the creation and implementation of laws. In many cultures, people with disabilities are still stigmatized and viewed through a lens of pity or as a burden on society. These negative perceptions can affect the political will to prioritize disability rights and result in policies that are either poorly enforced or not implemented at all [15]. Furthermore, the lack of accountability in the legal system often means that violations of disability rights go unpunished, creating an environment where non-compliance with legislation becomes normalized. For example, in the context of education, many special needs children still face barriers to attending mainstream schools due to inadequate infrastructure and teacher training, and legal recourse for these issues is often either inaccessible or ineffective. These challenges, combined with institutional inertia, result in a legislative gap that continues to prevent persons

with disabilities from fully realizing their rights in practice [16]. As such, there is a pressing need for more robust enforcement mechanisms, public awareness campaigns, and increased government accountability to ensure that the laws designed to protect special needs individuals translate into real, meaningful change in their lives.

4. Methodology^[17]

The qualitative research design used in this study is ideal for examining the complex viewpoints and experiences of those involved in the implementation and enforcement of laws pertaining to the rights of individuals with special needs. In-depth analysis of complicated topics is made possible by qualitative approaches, which provide insights into the daily experiences of people with disabilities as well as the procedures and difficulties encountered by legislators, attorneys, and advocates for special needs. A case study technique is used to concentrate on a particular jurisdiction or community, offering a thorough grasp of how laws are enforced in practice, given the exploratory nature of this research. The qualitative design enables a deeper understanding of the barriers to effective administration and the ways in which legislation impacts special needs individuals on a day-to-day basis, offering a rich, context-specific analysis.

The study focuses on key stakeholders involved in the administration and activation of disability rights legislation, including policymakers, government officials, special needs advocates, legal practitioners, and special needs individuals themselves. A purposive sampling technique is employed to ensure that participants are knowledgeable and have relevant experience regarding the topic of the study. This approach allows for the selection of individuals who can provide detailed insights into the challenges of implementing and enforcing disability laws. Special needs persons are also included in the study to understand how these legislative frameworks are experienced by those who are directly affected. The diversity of the participants ensures that a broad range of perspectives is captured, allowing for a comprehensive analysis of the issue from multiple angles.

The collected data were analyzed using thematic analysis, a qualitative technique that allows for the identification of patterns, themes, and key insights within the data. This process involved coding the data to identify recurring ideas, concepts, and experiences that reflect the challenges and successes of disability rights legislation and its enforcement. Themes were

developed from the data coded based on the key issues raised by participants. This approach allows for an in-depth understanding of the underlying factors affecting the activation and administration of disability laws. Thematic analysis also helped in identifying potential solutions and strategies for improving the enforcement of disability rights, based on the perspectives of the study's participants.

In order to gauge opinions about the efficiency, obstacles, and tactics for enhancing law enforcement, the study used a quantitative survey research approach. This approach was selected to enable statistical analysis of the data, guaranteeing unbiased perceptions of the participants.

Data Collection Method

To get the opinions of the participants, a structured questionnaire was designed. To measure the degree of agreement on different legal topics, it included statements on a Likert scale, which ranged from Strongly Disagree to Strongly Agree. Second, to guarantee representation from a variety of demographics, such as the general population, legal experts, policymakers, and representatives of civil society, a stratified random selection technique was employed.

Data Collection Process

Based on their involvement in legal policy discussions, enforcement roles, or direct experience with legal frameworks, respondents were chosen for the questionnaire, which was distributed via online forms (Google Forms, email surveys) and hard copies in a few government offices, legal institutions, and community centers. The data collection process took place over four weeks, giving participants ample opportunity to respond. Incomplete or inconsistent responses were excluded, ensuring data reliability and accuracy.

Data Analysis

Scoring System: Responses were assigned numerical values (e.g., Strongly Agree = 5, Agree = 4, Neutral = 3, Disagree = 2, Strongly Disagree = 1). The agreement levels were determined by calculating the sum of the ratings for each statement. Strong consensus was indicated by higher ratings, whilst discontent was shown by lower scores. To find trends and important insights, statements were categorized into three groups: Strategies for Improvement, Barriers to Proper Administration, and Effectiveness of Legislation.

The demographic details of the participants are provided below to provide a thorough grasp of the perspectives represented in the analysis.

1. Gender Distribution: Male: 55%, Female: 45%
2. Age Group: 18–29 years: 25%, 30–39 years: 35%, 40–49 years: 25%, 50 years and above: 15%

3. Educational Background: Secondary Education: 20%, Undergraduate Degree: 40%, Postgraduate Degree: 30%, Other (Vocational/Professional Training): 10%
4. Occupational Status: Government Officials (Legislators, Law Enforcement): 30%, Legal Professionals (Lawyers, Judges): 20%, Civil Society Representatives (NGOs, Advocacy Groups): 25%, Academics and Researchers: 15%, General Public (Concerned Citizens, Affected Individuals): 10%
5. Geographic Distribution: Urban Areas: 60%, Rural Areas: 40%
6. Years of Experience in Policy or Legal Matters: Less than 5 years: 20%, 5–10 years: 35%, More than 10 years: 45%

5. Findings

5.1 Effectiveness of Existing Legislation

Statement 1.1 (Score: 250): The response indicates a moderate perception of the effectiveness of current legislation. While some respondents strongly agree, there is notable disagreement, suggesting room for improvement.

Statement 1.2 (Score: 302): Higher agreement levels reflect the adequacy of legal frameworks, though gaps remain in addressing all specific needs.

Statement 1.3 (Score: 160): The low score highlights significant dissatisfaction with the enforcement of these laws, implying that implementation is the primary issue.

5.2 Barriers to Proper Administration

Statement 2.1 (Score: 335): The highest score in this section shows strong agreement that inadequate funding is a critical barrier to proper law implementation.

Statement 2.2 (Score: 265): Lack of awareness is also perceived as a significant issue, though slightly less critical than funding.

Statement 2.3 (Score: 190): Bureaucratic inefficiencies are identified as barriers but seem to rank lower in priority compared to other issues.

5.3 Strategies for Improvement

Statement 3.1 (Score: 317): There is strong consensus on the need for public awareness to improve enforcement.

Statement 3.2 (Score: 390): This is the highest-scoring statement, showing overwhelming agreement on the importance of training programs for enforcement agencies and policymakers.

Statement 3.3 (Score: 382): Collaboration between government and NGOs is another highly supported strategy for improving enforcement.

The thematic analysis reveals the following key insights:

- 1) While legal frameworks for special needs persons are seen as moderately adequate, their enforcement is perceived as weak.
- 2) The major barriers to effective law administration are funding constraints, lack of awareness, and bureaucratic inefficiencies.
- 3) Respondents strongly support strategies such as public awareness campaigns, training for policymakers, and collaboration between stakeholders to improve enforcement and administration.
- 4) The findings suggest that targeted reforms focusing on enforcement mechanisms and stakeholder collaboration can significantly improve the lives of special needs individuals.

6. Conclusion

The research sheds light on the complex relationship between the legislative frameworks designed to protect the rights of special needs persons and the actual implementation and enforcement of these laws. While laws such as the United Nations' Convention on the Rights of Persons with Disabilities (CRPD) and national laws like the Americans with Disabilities Act (ADA) offer robust protections, the study reveals significant gaps in how these laws are activated and enforced in practice. Key findings indicate that a lack of awareness among stakeholders, inadequate resources, and deeply ingrained societal attitudes often hinder the effective implementation of disability rights laws. Moreover, despite the existence of legislation, many special needs individuals still face substantial barriers in accessing essential services like education, healthcare, and employment opportunities, pointing to a disconnection between policy and practice. This research highlights the need for more robust mechanisms to ensure that legislative frameworks not only exist but are enforced with efficacy and consistency, ensuring that the rights of special needs persons are truly upheld.

One of the central themes of the research is the pivotal role that various stakeholders play in the administration and activation of special needs legislation. Policymakers, government agencies, and disability advocacy organizations must work collaboratively to ensure that legal provisions are not only adopted but actively enforced. The research underscores the importance of cross-sectoral cooperation to address the multifaceted challenges faced by special needs individuals. Furthermore, government officials, including those

responsible for funding and policy oversight, need to recognize the importance of dedicating adequate resources to disability programmes and services. Legal practitioners and advocacy groups also have a responsibility to educate and empower special needs persons about their rights, thereby enabling them to hold authorities accountable. Only through a concerted, holistic approach involving all relevant stakeholders can the full promise of disability rights legislation be realized.

The study also draws attention to the persistent challenges impeding the enforcement of disability rights legislation, particularly in countries with limited resources. One of the most pressing issues is insufficient funding for the necessary infrastructure and services that enable special needs individuals to participate fully in society. From accessible public transportation to inclusive education and healthcare, these services require substantial investment. Additionally, societal attitudes toward disability must be addressed to reduce stigma and increase public support for disability rights initiatives. Legal frameworks cannot succeed in isolation; there must be a cultural shift that promotes inclusion, awareness, and empathy for persons with disabilities. In order to address these challenges, there is need for a more coordinated approach, integrating advocacy, policy development, and community-based support systems. Without these foundational changes, legislation will continue to fall short in ensuring equal rights and opportunities for all individuals with special needs.

7. Recommendations

- 1) Comprehensive public awareness initiatives must be started in order to guarantee that disability rights laws are recognized and upheld. To promote a greater awareness of disability concerns and rights, these efforts ought to address the general public as well as important stakeholders like employers, educators, healthcare providers, and government representatives.
- 2) It takes substantial financial and human resources to execute disability rights laws effectively. Governments ought to provide sufficient funds for the construction and upkeep of accessible infrastructure, such as public transit facilities, medical facilities, and educational establishments.
- 3) A transparent and impartial oversight system is necessary to guarantee that disability rights laws are not only passed but also successfully implemented. Regular audits and assessments of the public and

commercial sectors' adherence to disability rights legislation should be part of this framework. Both advocacy groups and civil society organizations ought to be actively involved in keeping an eye on the enforcement process and have the authority to lodge complaints or pursue legal action where there is non-compliance.

- 4) Inclusive education is critical to enabling special needs persons to access equal opportunities in society. Governments should prioritize the integration of students with disabilities into mainstream educational settings by providing necessary accommodations and support, such as specialized teaching methods and assistive technologies. Similarly, workplace inclusion should be a priority, with companies encouraged to adopt inclusive hiring practices and provide reasonable accommodations to employees with disabilities.
- 5) More cooperation between the public and corporate sectors, as well as between individuals with disabilities and civil society, is necessary to enhance the implementation and enforcement of disability rights laws. To make sure that policies are in line with the actual needs of people with special needs, government organizations who are in charge of disability rights should work closely with disability advocacy organizations. Furthermore, collaborations with the private sector can support the creation of infrastructure, jobs, and accessible technologies.
- 6) Public campaigns, education programmes, and media representation can play a significant role in changing negative perceptions and promoting empathy. Disability should be viewed not as a limitation, but as a difference to be accommodated and respected. Educational systems, workplaces, and public spaces should cultivate environments where differences are celebrated rather than stigmatized.

Abbreviations

ADA	Americans Disabilities Act
CRPD	Convention on the Rights of Persons with Disabilities
NGO	Non-Governmental Organizations

Conflicts of Interest

The authors declare that there is no conflicts of interest

Appendix A

Research Question

- 1) How effective is the existing legislation in protecting the rights of special needs persons?
- 2) What are the main barriers to the proper administration of these laws, and how do they impact the lives of special needs individuals?
- 3) What strategies and measures can be implemented to improve the activation and enforcement of these laws?

Appendix 2

Questionnaire on Legislation for Special Needs Persons

Table 1.1

Section	Statement	S A E SD
Effectiveness of Existing Legislation		
1.1	The current legislation adequately protects the rights of special needs persons.	
1.2	There are sufficient legal frameworks addressing the specific needs of special needs individuals.	
1.3	The enforcement of these laws is consistent and impactful in improving the quality of life for special needs persons.	
Barriers to Proper Administration of Laws		
2.1	Inadequate funding and resources hinder the proper implementation of laws protecting special needs persons.	
2.2	Lack of awareness among law enforcement agencies and the public contributes to poor administration of these laws.	
2.3	Bureaucratic delays and inefficiencies significantly affect the lives of special needs individuals.	
Strategies for Improvement		
3.1	Increasing public awareness about the rights of special needs persons can improve the enforcement of laws.	
3.2	Training programs for law enforcement agencies and policymakers are necessary to enhance their understanding of special needs issues.	
3.3	Collaboration between government and non-governmental organizations can strengthen the activation and enforcement of these laws.	

APPENDIX C

Step 1: Assigning Numerical Values

The responses are assigned numerical values based on the scale:

- 1) SA (Strongly Agree): 4
- 2) A (Agree): 3
- 3) D (Disagree): 1
- 4) SD (Strongly Disagree): 0

Step 2: Weighted Scores

The weighted score for each statement is calculated using the formula:

$$\text{Weighted Score} = (\text{SA} * 4) + (\text{A} * 3) + (\text{D} * 1) + (\text{SD} * 0)$$

Weighted Scores for Each Statement

Table 1.2

Section	Statement	Weighted Score
Effectiveness of Existing Legislation		
1.1	The current legislation adequately protects the rights of special needs persons.	$(40 \times 4) + (30 \times 3) + (20 \times 1) + (10 \times 0) = 250$
1.2	There are sufficient legal frameworks addressing the specific needs of special needs individuals.	$(60 \times 4) + (30 \times 3) + (8 \times 1) + (2 \times 0) = 302$
1.3	The enforcement of these laws is consistent and impactful in improving the quality of life.	$(20 \times 4) + (20 \times 3) + (20 \times 1) + (40 \times 0) = 160$
Barriers to Proper Administration		
2.1	Inadequate funding and resources hinder proper implementation of these laws.	$(65 \times 4) + (25 \times 3) + (10 \times 1) + (0 \times 0) = 335$
2.2	Lack of awareness among law enforcement and the public contributes to poor administration.	$(40 \times 4) + (35 \times 3) + (15 \times 1) + (10 \times 0) = 265$
2.3	Bureaucratic delays and inefficiencies affect lives of special needs individuals.	$(20 \times 4) + (30 \times 3) + (10 \times 1) + (40 \times 0) = 190$
Strategies for Improvement		
3.1	Increasing public awareness about rights improves enforcement.	$(70 \times 4) + (20 \times 3) + (7 \times 1) + (3 \times 0) = 317$
3.2	Training programs for law enforcement and policymakers are necessary.	$(90 \times 4) + (10 \times 3) + (0 \times 1) + (0 \times 0) = 390$
3.3	Collaboration between government and NGOs strengthens enforcement.	$(82 \times 4) + (18 \times 3) + (0 \times 1) + (0 \times 0) = 382$

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