

PERSONS WITH DEVELOPMENTAL DISABILITIES FACING THE CHALLENGES OF THE FUTURE-STIGMATIZATION, ADAPTATION, INCLUSION¹

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Abstract

The aim of this paper is to show how the relationship of a healthy person towards people with special needs has evolved and what needs to be done today to make such people useful and to make them feel good while giving their contribution in their workplace. Namely, every day more and more attention is paid to people with special needs. In the past, this was not the case, and people with special needs in either physical, mental, or any other sense were considered second-class people and felt to be a burden to the society in which they lived. A new way of life, new technologies, stress, inadequate nutrition from day to day result in more people with special needs. We definitely need to give this problem more attention and a more serious place. The paper aims to show that people with special needs can be useful in their environment and society as a whole. It is considered that the current status of persons with disabilities is still unsatisfactory. The purpose of the research was to test (confirm or reject) the hypothesis that people with disabilities are not fully accepted even today and that there is a disparity between what the media and science say and what exists in real life. The aim was to explore how society addresses a person with physical and mental disabilities, how it calls a person with visible physical disabilities and whether the term “etiquette in communication with people with special needs” is used in society at all. The question is how to help them?

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I. INTRODUCTION

The paper will explain the concept of people with special needs and their position throughout history, which has not been easy given that they are people that have their limitations, so instead of helping them overcome these limitations, they experience rejection, ignoring, belittling. The situation has changed significantly since the adoption of the UN Convention on the Rights of Persons with Disabilities. *"The Convention has made a tremendous contribution to improving the situation of people with disabilities and is a fundamental document and a source of rights that protects people with disabilities."*(Marina Breški,(2020), *Osobe s posebnim potrebama u Republici Hrvatskoj-pravni položaj i izazovi integracije*, final paper, Faculty of Law, Osijek, p.1 The Institute of the Ombudsman for Persons with Disabilities in the Republic of Croatia is in a way a guarantee that these persons will not be discriminated in the sphere of work.

An anonymous survey was conducted in which 78 people participated. The results of the survey showed that society is not fully aware of the approach to people with special needs and therefore it is important to sensitize the people from the earliest age with regard to this extremely sensitive issue.

"Inductive and deductive method was used in the paper and, conclusions were made based on the collected data and facts. "(Ibid.) p.2

In addition to the inductive and deductive methods, the sample method was also used. The results of the survey have been statistically processed and the obtained results will be the basis for another small step in improving the status of persons with special needs in the Republic of Croatia.

II. THE TERM "PERSON WITH DISABILITY"

"By persons with disability we mean persons who have long-term physical, mental, intellectual or sensory impairment which represents the impossibility of their full and equal participation in certain activities in society. In today's society, the term "disability" has been adopted, which means a certain physical and visible impairment, but in the legal system, the word "disability" means a person with special needs, or a person with mental and physical disabilities. The word "disability" actually means any impairment that requires a person to make a special adjustment for a particular activity. "(Ibid.)

Throughout history, this category of persons has been called derogatory names such as the mentally retarded, the handicapped. Today, the word disabled person is often used, although the Latin word *invalidus* means helpless and weak person, which does not always have to be the case because many people with special needs are neither helpless nor weak but struggle and participate equally in the working process with healthy people. An example is Ludwig van Beethoven who, although he had hearing impairment, composed extraordinary compositions. People with special needs are often referred to as mentally challenged, which is extremely unacceptable.

III.THE POSITION OF PEOPLE WITH SPECIAL NEEDS THROUGHOUT HISTORY

Since even today the position of people with special needs is not satisfactory, the question arises as to how it was in the distant past, so a small historical review will be made.

"The way this category of people was treated was inhuman, humiliating and extremely incorrect. In a tribal way of life, it was only important how much food could a man provide for his tribe and this determined his position in the tribe, and consequently, the tribe would condemn such a man as useless and insignificant. Thus, the tribe influenced the consciousness of a person who would build a sense of worthlessness and self-destruction about himself/herself. The Spartans rejected and executed children with special needs because these children are messengers of an angry God and are a punishment to man."(Ibid.) p.4

"No person in the world is limited, restrictions are set by society, not the person himself" (Marina Breški, according to Zdravka Leutar, Suzana Hlupić, Josipa Vladić, Marina Čaljkusić,(2015) *Metode socijalnog rada s osobama s invaliditetom*, Zagreb,)p.13.,16. was only with the development of Christianity that the position of people with special needs began to improve. Christians have seen and discovered some other values of these people who have certain life limitations.

"The first school for people with special needs, ie people with visual impairments, was opened in Paris in 1789." After that, such schools were opened in Great Britain and the United States. The first such school in the Republic of Croatia was opened in 1895. "(Marina Breški, according to Gojko Zovko,(1999)*Invalidi i društvo*, original scientific paper, Study Center for Social Work, Faculty of Law, University of Zagreb,p 105-117

"The first trace of documents in which the words" persons with special needs "are mentioned, was found in Egypt. Theban papyrus is a document believed to have originated in 1500 BC. where children with mental disabilities are discussed.

The hospital for people with mental disabilities was built in Baghdad in the 8th century, while in the Republic of Croatia it was built in 1432, and was located in Dubrovnik. "(Esmeralda Sunko, (2016), *Društveno povijesni kontekst odgoja i obrazovanja djece s teškoćama u razvoju* Faculty of Law, University of Zagreb, p.602.-604.

"Before the opening of hospitals, the mentally ill were treated by priests who were not experts in this matter and this resulted in a negative approach towards this population and this attitude was discriminatory, humiliating both for the patients themselves and for society as a whole." (Maja Horvat, (2016) *Stigmatizacija psihički oboljelih osoba*, Varaždin <https://zir.nsk.hr/islandora/object/unin:1029>/accessed 8th of July 2020.)

Mentally ill people were tied up, tortured, and the hospital staff made money on them by opening the door to "gentlemen" who had fun watching them, who tortured, humiliated, ridiculed them and thus further distanced them from any possibility of involvement in society and the normal flows of life and work.

"Philippe Pinel is a person who has noticed the inadequacy of the treatment of the mentally ill at St. Mary of Bethlehem Hospital, and is a major driver of change in the approach and treatment of the mentally ill. He explained very vividly the way mentally ill people were treated: Patients were nailed to the walls of their cells with iron collars, which kept them leaning the wall and allowed little movement , they could not lie on the floor at night ... very often around the patient's waist was an iron hoop, moreover ... chains on both arms and legs these chains were long enough so that the patient could be fed from a bowl, and the food was usually mushy, bread

soaked in salty soup. He advocated freedom, non-attachment of the mentally ill, and light in the rooms where people with special needs stayed. The effect was successful and surprising for many people because the freedom and accessibility were the way of healing of the mentally ill.” (Cecilija Glavina,(2014) *Zanimljivosti, Mračna prošlost duševnih bolnica, Istraži me*, Zagreb, Tjedno hr.,)

In the Republic of Croatia, the hospital in Vrapče, which started operating in the 19th century, enjoys a great reputation in the treatment of psychiatric patients.

IV. UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

The Convention on the Rights of Persons with Disabilities was adopted in New York in 2006, as well as the Optional Protocol to the Convention on the Rights of Persons with Disabilities. The Croatian Parliament integrated them into its legal system in 2007. The aim of the Convention is the integration of persons with special needs into society. "By adopting the Convention, the Republic of Croatia has committed itself to take measures to change society's awareness of people with special. Equality, non-discrimination, inclusion in social activities, implementation of protection of persons with special needs is the goal and task of the Republic of Croatia on the path of integration of persons with special needs into normal life and work.

"The aim of the Convention is to ensure the satisfaction and equal status of persons with special needs, to ensure a fuller enjoyment in life of persons with special needs and a sense of equal value for all.” Act on Ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of Persons with Disabilities, OG 6/2007, Art. 3)

After the adoption of the Convention on the Rights of Persons with Disabilities, suddenly much more attention was paid to this category of people who are not to blame for becoming disabled people as this is not their choice but were chosen to carry that weight of life. And anyone who is healthy should remember that it is easier for him/her to overcome all the difficulties that life brings and to enjoy all the benefits that life provides than it is the case for persons with special needs. They do not have the ability nor to fully enjoy life no matter how hard they try, nor are they able to cope with the difficulties in life. So we need to stop and think about where and how to help. Reasonable adjustment is the possibility of the employer to make it easier for people with special needs by enabling them easier access to the workplace, easier movement in the workplace during working hours, adjustment of the workplace to the abilities of a person with disabilities, installation of elevators etc. If the employer has opportunities, and there are no obstacles, he is obliged to enable it. Most people with disabilities are self-effacing and are not fighters for their rights, instead, the work environment needs to recognize difficulties and help.

"The purpose of a reasonable adjustment is to improve the performance in the workplace in order to achieve mutual satisfaction.” (European Commission, Employment, Social Affairs and Inclusion... .Suppression of discrimination in the workplace. Reasonable accommodation for people with disabilities, 10.3.2020.)

<https://ec.europa.eu/social/main.jsp?tatId=1473&langId=hr>. accessed 09.07.2020.

The Association of Persons with Disabilities Križevci talks about a universal design that would be designed in such a way that experts design certain products that would be universal, that is, that would serve all people.

“ They should be designed to be easy to use so that people with different abilities can use products and services just as easily as completely healthy people.”(UiK- ASSOCIATION OF

PERSONS WITH DISABILITIES, Načela univerzalnog dizajna <http://uik.hr/dizajn-invalidi>, accessed 09. 07. 2020.

Although the Republic of Croatia is significantly committed to improving the position of people with special needs, we have not yet reached the level of humanity that we as human beings must produce. We still encounter cases of discrimination, violence, ignorance, misinterpretation of powerlessness and psychological abuse. Fortunately, these are sporadic cases and are being eradicated.

"Discrimination comes from the Latin word discriminare, which means any kind of separation. To discriminate a person means to intentionally cause discomfort to the discriminated person, and thus to deny him or her his or hers fundamental human rights. " Ana Puljak,(2012), Stigma mentalnog poremećaja, <https://hr.wikipedia.org/wiki/Diskriminacija>, accessed July 11, 2020

"The acceding countries of the UN Convention have committed themselves to the equality of all people before state bodies, and to take all measures to eliminate discrimination of persons with special needs, and to strive for the elimination of inequalities and the implementation of reasonable adjustment. it would enable people with special needs to perform upcoming tasks easier and faster (UN Convention on the Rights of Persons with Disabilities, Article 5)

It is particularly unacceptable for women and children as well as people with disabilities to be discriminated against. Women with special needs are people who demand even greater support and attention from the legislature and society. Abused women with special needs are forced to return to their abuser because he/she is the only person with whom a person with special needs has established a partnership ... It is needed to raise the self-confidence of a woman with special needs as well as to raise the awareness of society for this problem" (Ivana Brstilo,(2011), *Trostruka diskriminacija žena s invaliditetom na tržištu rada*, (Faculty of Philosophy, University of Zagreb)

*"People with special needs are often abused both mentally and physically by friends, their environment, as well as by relatives, and especially in the institutions where they are accommodated ..." as stated in a paper "Violence against people with intellectual disabilities" written by authors Ana Marija Josipović, Elizabeta Najman Hižman, Zdravka Leutar, *Nasilje nad osobama s intelektualnim teškoćama*, accepted: 8th of November 2008., p. 353.*

Employees in institutions that take care of people with disabilities, for various reasons, intimidate, enforce discipline that is not within the limits of permitted communication, restrict the freedoms of persons justifying it by the lack of time, and in fact hiding the harsh reality. After carrying out inhumane methods, the abused person feels less valuable, insecure and shy and cannot recognize whether a foreign person is speaking well or leading him/her to evil (cases of sexual violence are very common). It is important to recognize violence in time (abused people either do not know how to recognize abuse or are ashamed to admit that they have been abused.) Therefore, it is necessary to organize a help service 24 hours a day, the abused person must have access to information and personal assistant if necessary.

By ratifying the Convention, the Republic of Croatia has undertaken an obligation to take all measures to prevent abuse, neglect and disregard of persons with disabilities. In addition, Croatia has committed itself to ensuring oversight of the treatment of persons with disabilities by certain institutions. *"Everyone who sees or encounters violence is responsible. If violence is reported, it sends a message to abusers that their behaviour will not be tolerated, because it is extremely unacceptable, and it also sends a message to people with special needs to have the support of society and to be equally valuable. "*(Marina Milić Babić,(2009) *Nasilje i osobe s invaliditetom*, Faculty of Law, University of Zagreb Study Center of Social Work), p. 595.-614.

V. OMBUDSMAN FOR PERSONS WITH DISABILITIES

The Law on the Ombudsman for Persons with Special Needs prescribed the tasks, scope and powers of the Ombudsman. The ombudsman must act independently, in accordance with the principle of conscientiousness and honesty. He/she must not be in any political party. His/her main task is to promote the rights of people with special needs and preserve existing rights. (Act on the Ombudsman for Persons with Disabilities of the Republic of Croatia OG 107/07 in force from 01.01.2020.) Art.1-4

The Ombudsman monitors laws that relate directly to persons with special needs and monitors the compliance of laws with international regulations governing this issue.

He is committed to a better and happier life for people with special needs. The Ombudsman has the right and duty to criticize state administration bodies, local self-government units, legal entities with public authority, all with the aim of improving the quality of life of persons with special needs and their inclusion in normal life. The authorities must provide the Ombudsman with access to all data and documentation without any restrictions.

"If the ombudsman notices that persons with special needs have been discriminated against on any grounds, he/she is obliged to submit a report to the State Attorney's Office." Ibid, Art10-13.

"In the Register of Persons with Disabilities kept at the Croatian Institute of Public Health in the past year, 496,646 persons with special needs were registered, of which 196,609 were women (39.6%) and 300,037 men (60.4%). ("Report on the work of the Ombudsman for 2019")

"In 2020, 2172 people applied for help to the Office of the Ombudsman for Persons with Special Needs, which is 12% more than two years earlier, ie in 2018."

"COMMUNITY OF THE ASSOCIATION OF PERSONS WITH DISABILITIES OF CROATIA - SOIH, <https://www.soih.hr/soih-novosti-detaljno/izvjesce-pravobraniteljice-za-osobe-s-invaliditetom-za-2019-godinu>, accessed July 17, 2020.

The Ombudsman for Persons with Disabilities submits an annual report to the Croatian Parliament. The Report submitted in 2020 states that there have been significant improvements in the position of people with special needs, but this does not apply to people with intellectual disabilities, parents of people with disabilities and children with disabilities.

VI. EMPLOYMENT OF PEOPLE WITH SPECIAL NEEDS

According to the provisions of the valid Labor Act of the Republic of Croatia," if the employer has at least 20 employees, he/she is obliged to employ a person with special needs. The number of persons with special needs to be employed is 3% of the total number of employees "The Republic of Croatia subsidizes the salaries of these workers, education costs, adjustment to the workplace and encourages the sustainability of self-employment of persons with special needs. Employers who do not have an employed person with special needs are obliged to pay into the budget 30% of the minimum wage for each such person who he/she was obliged to hire and did not. Vocational rehabilitation means a set of measures and actions aimed at training a person with special needs for work, finding his/hers abilities, and improving them. The goal of rehabilitation is to preserve the job of a person with special needs, and to easier find a job for an unemployed person with special needs.

The Vocational Rehabilitation Service conducts the following measures:

- Encourages measures and development of professional rehabilitation
- Conducts professional supervision of work of the rehabilitation centre

- Adopts a price list of services for the implementation of professional rehabilitation
- Develops services standards and improves the quality of vocational rehabilitation
- Directs and conducts projects to improve professional rehabilitation

Institute for Expertise, Professional Rehabilitation and Employment of Persons with Disabilities, <https://www.zosi.hr/zavod/rehabilitacija/>, accessed 16th of July 2020

“The procedure for realization of the right to vocational rehabilitation is initiated by a person with a disability or his / her legal representative.” (according to the Act on Professional Rehabilitation and Employment of Persons with Disabilities of the Republic of Croatia, consolidated text of the Act, OG 157/13, 152/14, 39/18, 32/20, in force since 20.03.2020.) Art.5.paragraph.2.

VII. SOCIALIZATION OF PEOPLE WITH SPECIAL NEEDS

From an early age, children with special needs should be involved with other children through play, in order for healthy children to be informed that they are all different and that in fact, they are all the same and equally valuable. Research has shown that children with special needs are shy and lonely and find it difficult to fit in, and if that happens, these are short-term friendships. *"The responsibility of a teacher who has a child with special needs in a group is much more complex and demanding."* (Anamarija Žic Ralić,(2013) ACCEPTANCE AND FRIENDSHIP OF CHILDREN AND YOUTH WITH DEVELOPMENTAL DISABILITIES, Faculty of Education and Rehabilitation Sciences, Zagreb,) p. 435. - 453.

These teachers receive special training to work with this population. *"It has been proven that social work students who have not learned about access to children with special needs have a repulsive attitude towards them and inaccessibility, compared to those who have studied and have a much more positive attitude and accessibility towards children with special needs."*

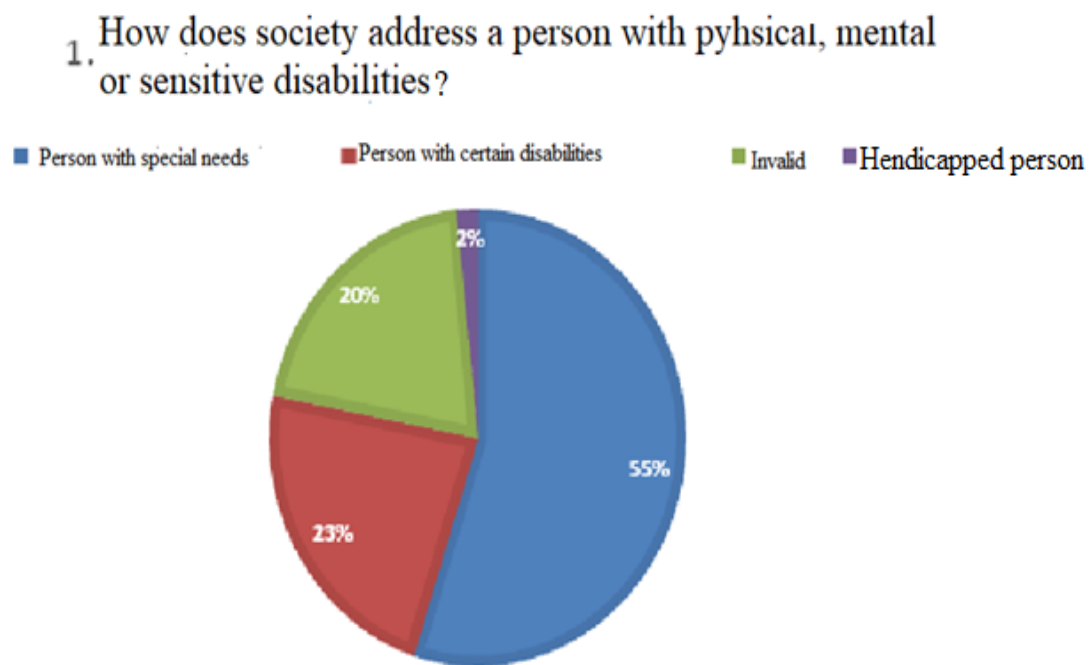
(Tonća Jukić, Marijana Elez, - Pedagogijska istraživanja, 2013 - researchgate.net, Osposobljenost studenata nastavničkih studija za rad s djecom s govornim teškoćama u redovitoj nastavi, p. 135. – 146.

https://www.researchgate.net/profile/Tonca_Jukic/publication/281820587_Osposobljenost_studenata_nastavnickih_studija_za_rad_s_djecom_s_govornim_teskocama_u_redovitoj_nastavi/links/55f9795a08aeb1d9f1ddb2a/Osposobljenost-studenata-nastavnickih-studija-za-rad-s-djecom-s-govornim-teskocama-u-redovitoj-nastavi.pdf), p. 138.

VIII. RESEARCH ON THE AWARENESS OF SOCIETY TOWARDS PEOPLE WITH SPECIAL NEEDS

The aim of the research is to raise public awareness of the position of people with special needs.

Graph 1

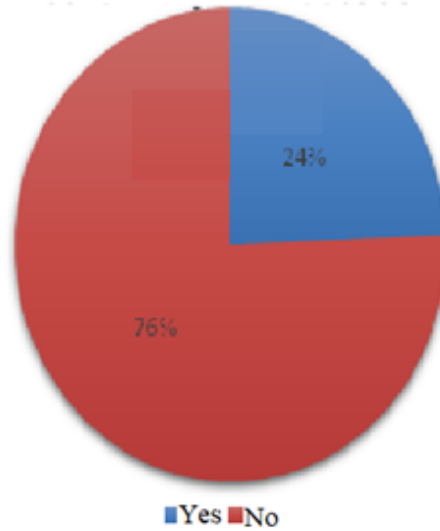


Source: Research results 2020. (Authors edit)

Based on the survey, which was completed by 78 people, it can be concluded that society addresses a person relatively well. It is important that society has dropped the word "handicap" and that the word is not in regular use and is not accepted as a good way of expression.

Graph 2.

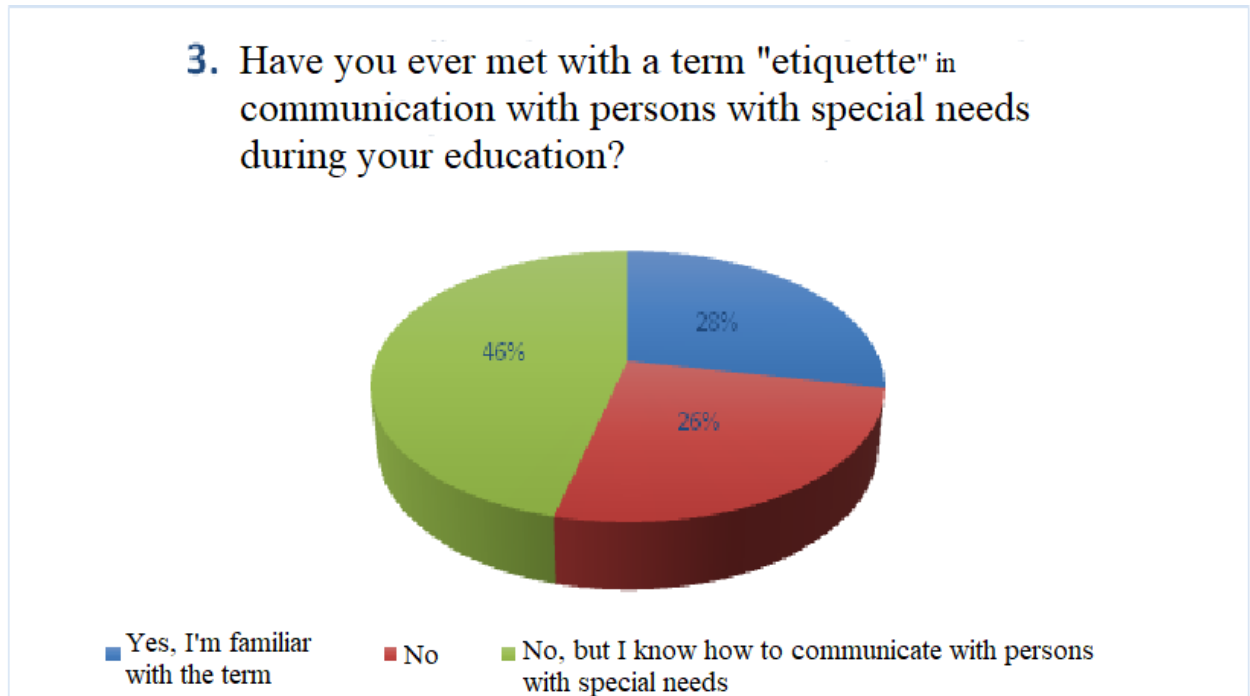
2. Do you consider that a word "invalid" is related only to a person with visible disabilities?



Source: Research results 2020. (Authors edit)

According to the above data, it can be concluded that 24.4% of persons conclude that the word "disabled" refers only to a person with a visible impairment, while 75.6% conclude that the word "disabled" refers to all types of impairment.

Graph 3



Source: Research results 2020. (Author s edit)

Given the above results and the fact that a large number of people who approached the survey were not familiar enough with the polite way of communication towards people with special needs, society is aware of the approach to people with special needs but insufficient. Due to the above, early education of the society is important.

IX.CONCLUSION

The paper presents a historical overview of the attitude towards people with special needs. This category of persons has been neglected, ridiculed, abused, excommunicated by inhumane and inadequate methods from the normal course of life and work in various ways. However, there are always people in society who are sensitized to such people and have the task of scientifically and professionally addressing issues related to people with special needs to make their lives more bearable and bring them closer to the lives of healthy people. Throughout history, the position of people with special needs has advanced significantly in a positive way, but still not enough. Feelings of inferiority, neglect, exclusion have prevailed for centuries in these individuals, resulting in anxiety as the mildest form of psychic experience. Today, these people perceive themselves and the environment differently and have different expectations in a positive sense. The United Nations has paid special attention to the rehabilitation and inclusion in the normal life of these persons. With the adoption of the UN Convention on the Protection of Persons with Disabilities, their position has changed

for the better as their fundamental rights have been protected, as signatory states have become aware of the need to work to help people with disabilities. The Act on Ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of Persons with Disabilities proclaims respect of dignity, which enables a person to have self-confidence, non-discrimination and prohibition of placing a person at a disadvantage compared to another person.

In accordance with the above, the Republic of Croatia adopts certain measures to improve the position of these persons, aid associations are established, supervision is applied over the application of measures in practice through control of employment quotas for disabled persons, control of financial measures to encourage the employment of people with special needs and introduction of reasonable adjustment. There is an urgent need to include science and expertise in improving the living and working conditions of people with special needs and to control the implementation of measures. It is necessary to sensitize society to develop empathy towards people with special needs, not to turn their heads away from them, because a person with a disability did not choose to be stigmatized. We need to constantly talk about this problem, and find new ways to make life easier for this category of people who also want a normal life and work.

They are diligent people and want to prove themselves, so regardless of the difficulties they carry, they show extreme diligence, justice and gratitude.

Previous researches have shown that the very work efficiency of a disabled person in a workplace greatly helps inclusion in society, but also builds the character of that person.

Society lacks communication with this category of people. If there is no communication, there is no cooperation either. In order for the cooperation to be successful, the mutual will to cooperate is important. Persons with special needs should talk openly about their needs and limitations, and a person who is asked for cooperation, advice, help should listen carefully and find ways to help a person with special needs in overcoming the obstacles in front of him/her. This wheel is running, but still slow. Those who today have a powerful influence on the awareness of society are the media and they can change the awareness about the relationship with people with special needs and thus significantly improve their position.

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