

Into Arabic: UNCRPD'S Rights Discourse and the Politics of Interpretation.

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Abstract

This paper deals with the discourse shift in the inclusion politics as manifested in the articulation of the United Nations Convention of Rights of Persons with Disabilities (UNCRPD 2006) and its cultural transposition and translation through languages and across the North/South divide. The paper particularly tackles the question of globalization of culture and internationalization of discourse and their implication for the politics of interpretation and translation of the rights discourse of Persons With Disabilities (PWD), its ramification with respect to both the shift from the politics of recognition to acknowledgement and the framing of persons with disabilities—as subjects with rights against the long entrenched objectifying framework of charity. The paper reads the UNCRPD (2006) and its Arabic translation to examine the politics of naming, its effect on the framing of person with disabilities (as object of charity versus subjects with rights) and its ramification with respect to the developing social policies/practices of inclusion. The paper seeks to conceptually engage with the Recognition/Acknowledgement paradigm to investigate the type of inclusion represented in the Source Text and its transposition in the Target Text. To this end, the paper opens a repertoire between Political Philosophy, Critical Discourse Analysis and Translation Studies to structure its framework from the theoretical literature on the politics of recognition. The paper utilizes Fairclough's three-dimensional models (2013) as a tool of analysis to examine the discursive event embedded in the production and dissemination of UNCRP, its implication with respect to both the politics of interpretation in the Source and Target Texts and the discursive and socio-cultural practices across the civilizational divide.

Key words

UNCRPD, Politics of Interpretation, Inclusion, Recognition, Critical Discourse Analysis, Translation

1. Introduction

Inclusion is not a strategy to help people fit into the systems and structures which exist in our societies; it is about transforming those systems and structures to make it better for everyone. (Diane Richeler-2018)

Within the framework of the globalisation of culture and the internationalisation of discourses, societies interact through translation, and thus it can be claimed that ‘we all live in “translated” worlds’... never before has there been as much translation as there is today. Language and translation inevitably are tools for legitimizing the *status quo* or for subverting it. (Castro 2013, p.5 6)

This paper deals with the discursal shift in inclusion politics in the articulation of the United Nations Convention of Rights of Persons with Disabilities (UNCRPD 2006) and its cultural transposition and translation through language and across the North/South divide. The paper particularly tackles the question of globalization of culture and internationalization of discourse and their implication for the politics of interpretation and translation of the rights discourse of Persons With Disabilities (PWDs), its ramification with respect to both the shift from the politics of recognition to acknowledgement and the framing of persons with disabilities—as subjects with rights against the long entrenched objectifying framework of charity (Mladenov 2013).The paper reads the UNCRPD (2006) and its Arabic translation to examine the politics of naming, its effect on the framing of person with disabilities (as object of charity versus subjects with rights) and its ramification with respect to the developing social policies/practices of inclusion. The paper seeks to conceptually engage with the Recognition/Acknowledgement paradigm to investigate the type of inclusion represented in the Source Text and its transposition in the Target Text. The paper aims to distinguish between the two modes of inclusion discourse in the Arabic setting (top-bottom versus bottom-top approaches) and highlights the *modus operandi* for the move away from the add-to-the-list gesture politics of inclusion and towards the systemic restructuring and accommodation--along transformative and emancipatory lines and within broader issues of sustainable development, social policy, human rights, democratization and strengthening civil society. To this end, the paper opens a repertoire between Political Philosophy, Critical Discourse Analysis and Translation Studies to structure its framework from the theoretical literature on the politics of recognition (Taylor 1992; Honneth2001; Fraser2001; Zizek 2009), Critical Discourse Analysis’ engagement with language as a tool for

decoding social practices and process with their embeddedness in power and ideology, and the Cultural Turn in Translation Studies. The paper utilizes Fairclough's three-dimensional models (2013) as a tool of analysis to examine the discursive event embedded in the production and dissemination of UNCRP, its implication with respect to both the politics of interpretation in the Source and Target Texts and the discursive and socio-cultural practices across the civilizational divide.

2. Language is/as a Social Practice: Recognition and Disabilities Dismantlement

In his seminal take on the interface between language and society, Fairclough (1989) opens his call for a critical study of language with a quoted query on shackles recognition and dismantlement: "How do we recognize the shackles that tradition places on us? For if we recognize them, we would be able to break them" (Fairclough 1989, p. 1). This opening query forms the philosophical base for his theory of language as a social practice and action embedded in the social process of interaction, whose methodological critical study showcases the imbrication between language and social and institutional practices, and their interface with broader social and political structures and socio-cultural change. To this end, Fairclough (1995) pursues the integration of "discourse analysis with social analysis of socio-cultural change" through a di-fold argument for: first, "the role of discourse ... in modern and contemporary (late modern) society ... [which] has taken on a major role in socio-cultural production and change" (Fairclough 1995. p. 2); second, the centrality of textual analysis to a scientific understanding of discourse that transcends the "limited explanatory goals of the descriptive approach ... [to] reference outside the immediate situation to the social formation of ideologies ... by definition representations generated by social forces at these level" (Fairclough 1995. p. 45). The outcome is the three-dimensional modal for Critical Discourse Analysis (CDA) that links the micro-linguistic event to the macro-socio-cultural structure through simultaneously tying "textual analysis ... with social analysis of organizational routines for producing and consuming texts ... within the processes of production and consumption" (Fairclough 1995. p. 9), and relating text to discourse practice and socio-cultural practice. The end is "the 'real world' of social relations in institutional practices ... represented linguistically" and codified textually and intertextually (Fairclough 1995. p. vii). In Fairclough's scheme, text is not (as it is traditionally understood) "a piece of written language"—"a primarily linguistic cultural artifact" (Fairclough 1995. P, 17,18). Rather, texts are "social spaces in which two fundamental social processes simultaneously occur: cognition and representation of the world, and social interaction" (Fairclough 1995 p, 20). Critical Discourse Analysis hence entails attuned attention to this

multifunctionality of language in the text through focus on the interplay between the textual and intertextual and their relation to their context of production and reception. The end is an innovative discursual analytical practice that enable shackles recognition and ultimate dismantlement through a view of discourse as "the use of language as a form of social practice and discourse analysis [as the] analysis of how texts work within socio-cultural practice" (Fairclough 1995 p, 20). The projected outcome is engagement in the activation of "innovative and unconventional language practice ... [in pursuit of] involvement in alternative language practice" befitting the knowledge based economy of late capitalist societies (Fairclough 1995 p, 3). To this end, Fairclough constructs his three dimensional model hinged on three basic tenets, three dimensional concept of discourse and three stages for conducting Critical Discourse Analysis. The model is constructed around an internal relation between language and society through the socially constructive function of language with the latter as both the constructor of social phenomena, process and practices. Discourse in this scheme has three formations. First is the text, which is the product of social interactive processes and practices decoded through its repertoire with the intertext. Second is the discursive producing practice, which at once gives rise to the text and enables the activation of controlled social practice in line with the 'order of discourse' (available repertoires of genres, discourses and narratives) and in tune with the 'technologization of discourse' defined as "calculated intervention to shift discursive practices as part of the engineering of social change" (Fairclough 1995 p, 3)

The third dimension is the social practice, which constitutes both the object and subject of the discursive through a discourse practice tailored to effect structural transformation of the public sphere of politics in accordance to the social function of the media of dissemination and the "functioning of discourse in institutions and institutional change" (Fairclough 1995 p, 49). **Fig. 1** In pursuit of critical analysis and disentanglement of the three overlapping dimension, Fairclough proposes three stages to conducting critical discourse analysis. **Fig. 2** The first stage, description, engages with the linguistic description of the language of the text properties of the text, the texture of the text (as opposed to commentary on its content) and the order of its constructed discourse. The second stage involves interpretation of the text within its context through reconstruction of "the dialectical process resulting from the interface of the variable interpretative resources people bring to the text, and properties of the text"—i.e. the relationship between the productive and interpretative discursive process of the text in its repertoire with the intertext with the end of producing meaning for the description (Fairclough 1995 p, 9). The third stage engages with the explanation of the relationship between processes of production and interpretation and the social

conditioning to decode its implication for the social practice—"how discursive processes are socially shaped [and] their social effect" (Fairclough 1995 p, 1). The aim is recognition of the Ideological Discursive Formations (IDFs) regulating social processes through the technologization of discourse effecting the engineering of socio-cultural change and practice.

3. UNCPD: Recognition Dialectics and the Technologization of Tolerance Discourse

Within UN language, the discourse of human rights is embedded in the problematic dual dialectics of recognition and social inclusion (Taylor 1992) on the one hand, and the ideological discursive formation of tolerance as an ideological category (Zizek 2007). Recognition, the mainstay of liberal politics, premises the equal dignity of all citizens on the recognition of the unique identity of each individual group. As such, it predicates the politics of universality of human dignity on the politics of difference between group hinging the acknowledgement and status on something that is not universally shared and giving rise to inherent contradiction regarding the politics of inclusion, especially with respect to the normative measurement of difference and the liberal political suspicion of collective goals. As Taylor (1992) states: "inclusion is logically separable from the claim of equal worth" (p. 68). This contradiction was transposed onto the debates on multiculturalism (Taylor 1992, p. 69) and a formula of liberalist multiculturalism (Zizek 2009), which formulated the "form of the politics of equal respect ... in a liberalism of rights that is inhospitable to difference" (Taylor 1992, p. 60) into "condescending tolerance ... tolerance as a temporary compromise" (Zizek 2007, p. 4). The latter promulgates an essentialist conception of the socio-symbolic identity pillared on the inerrant model of liberal citizenship with its dichotomization of rights/ participation, private/public, and inclusion/exclusion and dictates of hegemonic ideologies of citizenship, the tenets of which are obligation, participation and community with "space only for the able-bodied subject engaged in market participation" (Parker 2004). The implications for conception of difference (othering) and social inclusion are tantamount; first, the ideological discursive formulation of tolerance as "a political end" and "post-political ersatz" (Zizek 2007, p. 1). Difference is condescendingly tolerated *despite* what has been constructed as debilitating difference with the imperative of socially engineering the formation of pluralistic society through inclusion. Second, inclusion is thus reformulated through the binarism of integration/segregation and against the mounting pressure of the regulating thrust of "liberal multiculturalism's basic ideological operation":

the 'culturalization of politics' [where] political differences, differences conditioned by political inequality, economic exploitation, etc., are naturalized/neutralized into 'cultural'

differences, different 'ways of life' ... that cannot be overcome, but merely 'tolerated'(Zizek 2007, p.9).

The regulating thrust of multiculturalism was given impetus by the 1990 outburst in theorization of recognition as a surrogate politics to distributive rights giving rise to politics of difference (Young 1990), identity-politicsⁱ and two formulations of inclusion in synergy with justice. The first formulation, of inter-subjective inclusion (Taylor 1994; Honneth 2001) postulates the centrality of recognition to dialogic identity formation and social wellbeing with the logic for social struggle centered around the demand for recognition, which according to both Taylor (1994) and Honneth (2001) becomes the vital human need and the prerequisite for social justice and peace—effected through love, respect and esteem against and in reaction to prior misrecognition. The second formulation, institutional recognition (Fraser 2001), reconceptualizes the concept away from Taylor and Honneth's focus on the level of the individual psyche to position recognition within the realm of institutional politics and redistributive claims. Eschewing what she terms as "psychologization" of recognition discourse, Fraser argues for "recognition as an issue of justice" with status and parity denied to individuals "as a consequence of institutionalized patterns of cultural values ... [with] misrecognition ... a form of institutionalized subordination—and thus, a serious violation of justice" (2001, p. 26). For Fraser (2001), the dissociation of struggle for recognition from the struggle for distribution speaks of "the widespread decoupling of cultural politics from social politics, of the politics of difference from the politics of equality" bringing forth "recognition without ethics" (p. 21). The latter fetishizes cultural mis-/recognition to evade the examination of the structure of capitalism propelling the disparity of participation in social life. Fraser's postulation is parity of participation realized through coupling of recognition and redistribution as a perspective on and dimension of justice with distribution as the objective condition precluding the intersubjective condition of participatory parity, defined as "the institutionalized patterns of cultural value [expression of] equal respect for all participants and [ensuring of] equal opportunity for achieving social esteem" (Fraser 2001p, 29). Echoing Zizek, Fraser's focus on the institutional guardianship of participatory parity seek to redress the shortcoming of the psychologization of recognition and the condescending tolerance through positing inclusion on account of—not despite of—difference with the human variation model as a scheme for conception and inclusion of social difference.

Social movements' struggle for recognition and enfranchisement gave impetus to institutional inclusion in public policies, which pressed the need for technologization of discourse with respect to minorities' representation in language, their construction in discourse and the interpretation of categories

of rights, politics of participation and social citizenship in both the political and social practices. For Persons with Disabilities (PWDs), the technologization of discourse has been problematic on a number of accounts. First, on the representation level, PWDs were not constructed as a social group. Earlier discussion of disabilities was pervaded by the medical model. The medical model treated disability on the individualized scale "as an individual physical or mental characteristic with significant personal and social consequences" (Stanford 2013). It constructed the disabled identity in accordance to the limitation of its functionality labeling it as an impairment and dysfunction that had to be remedied through medical correction and material compensation. The latter constitutes the medical model proposition of justice, which recognizes the social impediment to inclusion, seeks rectification through cash subsidies or in Fraser's scheme redistribution, yet falls short of identifying recognition/misrecognition as a plane for justice and inclusion. The effect is perpetuation of the stereotypical structuring of dependent disabled identities and their construction as objects of charity; the World Health Organization 1980 manual is a testament of the medical model's identity representation of disabilities linguistically articulated around the conceptual category of handicap with the word "handicap" pervasive use (188 occurrences in the course of 207 pages). The manual has been critiqued for its ineptitude to "state clearly enough the role of social and physical environment in the process of handicap} and ... [its encouragement of] 'the medicalization of disablement'" (WHO [1980] 1993, p. 1). Second, on the discursive level, the social model came as a reaction to the medicalization of disablement and its deterministic objectifying stance with respect to identity representation of disabled bodies. Its development in the seventies was in the context of the disability movement in the UK, which sought to rethink and rearticulate disabilities' identities around a surrogate model of identity presentation and construction. The social model's basic focus was the economic, environmental, and cultural impediment underpinning and reproducing disabilities. Its propositions were di-fold: a radical interpretation of disability structured through uncoupling of disability from handicapping limitation; an alternative view of justice centered on recognition of personhood within difference and redistribution of resources (outside the objectifying charity) within the rights framework. Their discursive-triggered activism developed along two conceptions of difference: minority group and human variation model. The latter, less problematic than the former, discursively reformulated inclusion and justice along social restructuring and engineering administered through recognition of the enabling difference to set the claim for restructuring the environmental, cultural, and economic barriers and hence enable the disabled bodies to functionally perform their roles as social citizen. The outcome is activism-triggered discursive practice

that brought forth technologization of disabilities' rights discourse codified in the language of UNCRPD (2006). The latter's context of production and reception alternately showcases the interface between social and textual practice, reflect and inflect the discursive practice of identity construction and representation of PWDs to position their subject position within the broader context/discourses of sustainable development, multiculturalism, democratization, minority rights and strengthening of civil society and has propelled a cross-cultural discursive practice in the translational context of internationalization of discourse and globalization of culture. Ultimately, the UNCRPD (2006) discursively enacts structural re-engineering of disabilities' difference, recognition, and social citizenship through transforming measures of enfranchisement for (and by) PWDs to construct a structural inclusion pillared on recognition of presence on account of human variation and along structural adjustment to make the system work for everyone.

4. UNCRPD: Description of the Discursive Event and Transformative Inclusion

Adopted on 13 December 2006 at the United Nations Headquarters in New York, the CRDP day” (UNDESA-DISD webpage) **Fig (3)**. The Convention entered into force on 3 May 2008. To date (October 2018), the convention has 161 signatories and 177 ratification: the protocol 92 signature and 92 ratification **Fig (4)**. The convention was the output of the attitude changing activism the people with disabilities in the US (1980s and 90s) culminating in institutional inclusion in the American with Disabilities Act and ADA amendment in 2008. Unlike UK disabilities' movement in the seventies, the American disabilities' movement codified the shift in the conception of people with disability from being viewed as 'objects' of charity, medical treatment and social protection towards viewing persons with disabilities as “subjects” with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society” (UNDESA-DISD webpage). This attitudinal was encapsulated in their novel oxymoronic self-identification as "persons with disabilities"ⁱⁱ, which unlike its predecessor "handicap" redressed the linguistic omission of personhood to position disability in the discourse of enabling difference entitled to enfranchisement through redistributive inclusion. This self-labeling was the category of representation in the CRPD, whose negotiation was conducted during eight sessions of an Ad Hoc Committee of the General Assembly from 2002 to 2006—making it the fastest negotiated human rights treaty. As such, the convention became “the first comprehensive human rights treaty of the 21st century ... open for signature by regional integration organizations” (UNDESA-DISD webpage). It became a human rights instrument with an explicit and social development dimension. Emanating from socio-cultural practices of PWDs (bottom-up), the convention adopts “a broad

categorization of persons with disabilities”. It reaffirms the human rights and fundamental freedoms of persons with disabilities, and clarifies and qualifies the categories of rights, areas of enabling adaptations and measures for rights protection. More importantly, the convention stipulates a politics of vigilant interpretation and monitoring through Article 40, the Conference of State Parties (COSP)_and the Committee of Rights of Persons with Disabilities (CRPD)

4.1.CRPD: Measures of Subject Ascription and The Politics of Interpretation

Article 40 stipulates the organization of an annual conference of the States Parties to review and monitor the implementation of the convention. Since 2008, eight conference sessions were held. Following the ratification of the convention, a Committee on the Rights of Persons with Disabilities was established (initially 12—currently 18 members)—CRPD. The CRPD is UN body, which meets twice a year to review reports and petition from the state parties (member states and those who signed the protocol). As a measure for subject ascription and inclusion, the CRPD constitutes a monitoring body to disabilities' rights violation, whose interpretation is conducted by persons with disabilities hence a guarantee against the potential of recognition reduction into a gesture politics of inclusion. Indeed, both the COSP and CRDP present an implementation framework to recognition of presence that is premised on acknowledgement of prior disenfranchisement and present entitlement to enfranchisement and rights through identification of the power legacy of marginalization and taking effective recourses to redress and enfranchise. That is to say, it is an acknowledgement that profess acceptance on account of difference. The word 'recognize' and 'acknowledge' are the prominent words articulating the recognition paradigm the text construct.

4.2. Description and Text Analysis

The text is divided into three parts: first is the "Permeable". Articulated in 23 items, it represents the logic of present convention, which centers on acknowledgement and recognition of the personhood of the PWDs, and their entitlement to universal rights, whose prior violation warrants present redress. It presents the purpose and justification of the convention through reinstating disabilities' rights within human right. The second section, made of fifty articles provides for articulation of disabilities' rights with definitions to the environmental, social, economic, and cultural barriers propelling disabilities. The third section, entitled "Optional Protocol", is articulated in eighteen articles tackling the mechanism of monitoring the convention by the state parties.

The semantic argumentation structure of the convention is structured along since/therefore argumentative logic with the permeable containing premises indicators linguistically relaying the since dictate through gerund phrase. The

inclusion discourse is linguistically marked through the prominence of premise indicator “recognizing” (12 out of 23), which acknowledges the disabled rights within human rights and multiculturalism and through dictates of sustainability and development—acceptance and inclusion on account of difference to individual persons with disability. This preliminary structuring of the inclusion politics is fostered in the conclusion indicator to the preamble: “Convinced that”. Item (y) speaks of the injustices and the necessity of redressing previous injustices to enable full participation and utility across worlds divides: developing and developed countries.

The following table represents the argumentation structure of since-gerund phrase with the frequency of occurrence of each linguistic item.

Recognizing	Reaffirming Emphasizing Highlighting	Recalling considering	Concerned that/about	Realizing Convinced that
12	1 1 1	2	1 1	1 1

The ‘therefore’ premises come through the second and third section in the articles and protocols. The therefore is linguistically indexed via the verb phrase of “Have agreed”. The second section "Articles" specifies the parameters of inclusion through detailed identification of the impediments to their full enfranchisement and detailed exposition of the measures to guarantee their full recognition. The word “recognition” and its verb “recognize” take prominence in the two sections with five occurrences of "recognition" in the Articles and twenty-two occurrences for the verb "recognized" in the "Protocols". The conclusion indicator “In witness thereof” seals the politics of recognition and inclusion discourse through linguistic binding of translation to authenticity— a legalese jargons indexing the legally binding nature of the translation. Article 50 stipulates the authenticity of the text and its authentic translation across languages:

"Authentic texts

The Arabic, Chinese, English, French, Russian and Spanish texts of the present Convention shall be equally authentic" (The United Nations 2006, p.31)

Article 50 and the "Protocol" binds the Convention to institutional inclusion through stipulating the authenticity of translated text and the obligation of State parties to monitor and supervise the implementation of the Inclusion discourse and Recognition politics of the rights of persons with disabilities.

5. Authentic Text Into Arabic: the Cultural Translation of Inclusion and Recognition Politics

5.1 Description: Text Analysis

The Arabic translation of the convention follows the literal translation typology. A standard translation choice for authoritative documents, literal translation favors minimalist translation intervention. literal translation is characterized by its linguistic faithfulness and textual fidelity with minimal translational intervention. The Source Languages' "grammatical constructions are converted to their nearest [Target Language] equivalents", "the lexical item are [like word-for word] translated out of context" and no omission, addition or modulation is permitted (Newmark 1988 p,45) . Qualified as a "pre-translation process" by Newmark (1988 p, 46), literal translation is a mainstay translational method for technical and legal text type due to its preservation of the Source Text form and assumed authentic/faithful transposition of the contentⁱⁱⁱ—not the communicative message – recommended by Newmark (1988).In the UN, literal translation is the principle for translating UN documents by virtue of minimal intervention scheme. The main goal is to preserve the fidelity and authenticity of the documents and its legally binding authority. Despite the contemporary more liberal approach, UN instructions for translation remains bound to the principle of literalness^{iv} and fidelity as a primary translational concern.

Against the focus on fidelity and faithfulness, the Arabic translation of CRPD exhibits modulation with respect to the content of the ST. The modulation specifically occurs on the lexical and syntactical structuring of the discourses of recognition/acknowledgement and inclusion. The lexical modulations warrant examination especially due to their deviation from equivalence and faithfulness and tacit implication with respect to inclusion discourse transposition and the TT discursual domestication. The prominent premise indicator in ST— “recognize” and “recognizing”—is modulated in the TT from تعترف in items (و,ب,ح,ط,م,ن,ف,ت,) of the permeable into تدرك(ه),تقر (ى)(ل)—the literal semantics of statement and cognition. The word “Ensure” and “Ensuring” are throughout translated into يكفل, كفالة in items 2,3, 4, 6, 7, 9. The Arabic equivalent of ensure is يضمن. Article 3 of the general principle of the convention states its obligation to effect “Full and effective participation and inclusion in society” (The United Nations 2006 p, 5). This phrase is translated into: " كفالة مشاركة و اشراك الاشخاص ذوى الاعاقة بصورة كاملة و فعالة"

(الامم المتحدة ٢٠٠٦). Article 4 of the general principles exhibit similar lexical modulation with "to ensure" translated into "بكفالة":

"State parties undertake to ensure and promote the full realization of human rights (The United Nations 2006, p. 5).

The Arabic translation is " تتعهد الدول الأطراف بكفالة وتعزيز أعمال كافة " (الامم المتحدة 2006) حقوق Item 3 of Article 5 exhibits similar modulation on the syntactical level through the reshuffling of the since premise into a parenthetic phrase:

"In order to promote equality and eliminate discrimination, State Parties shall take all appropriate" (The United Nations 2006 p, 7).

- تتخذ الدول الأطراف، سعياً لتعزيز المساواة والقضاء على التمييز، جميع الخطوات المناسبة لكفالة توافر الترتيبات التيسيرية المعقولة للأشخاص ذوي الإعاقة. (الامم المتحدة ٢٠٠٦)

5.2. Cultural Domestication and Religious Signification: الكفالة and Charity Discourse

These modulations **and**-resort to omission of "inclusion" and addition of كفالة (strategies that do not sit well with literal translation and UN prescribed practice) pinpoint the cultural signification and domestication of the inclusion discourse and recognition politics in the TT. The lexis الكفالة belongs to the religious domain and is used in Islamic exegetical tradition to denote a patronizing relation between the caretaker and his adopted child—adoption is illegitimate in Islam. As such, the invocation of the religious domain, along with its instrumentalization with respect to the State, constructs the state as a patron (instead of a legal guardian and arbiter) *vis-a-vis* PWDs structuring the latter's' object position to the state and society. It also constitutes a deviation from both the lexical framing of legal discourse and UN documentary writing style, whose language is characterized by its "bureaucratic jargon and usage ... vague, general or ambiguous words ... calculated ambiguity ... deliberate imprecision and generalities" specifically due to its exercise of diplomacy and delicate balance of interest among the negotiating parties (Cao. Zhao 2008 p,46,47). Ultimately, this framing domesticates the inclusion of PWDs within the conceptual Islamic paradigm of التكافل الاجتماعي--lexically translated as social solidarity, social interdependence and symbiosis (Kudz Top entered by Heather Shaw (/profile/845981). The Islamic concept of التكافل الاجتماعي premises social harmony and peace on the provision of sustenance to the needy by the rich, which not only structures a hierarchal relation between the benefit-provider and the beneficiaries, but also transposes the discussion of justice and inclusion on the individual spiritual terrain as a matter of spiritual elevation. This formulation, though resonating with the psychologization of recognition of Intersubjective inclusion, does not clearly articulate the institutional measures for inclusion or position provision in the realm of

personhood and citizenry rights. As such, it posits the danger of reduction into a token politics of inclusion and a condescending formula of tolerance—acceptance and provision despite disability not on account of the potential ability of disability—especially given the semantic domain of collation. The words *كفالة*, *يكفل* collocates with the poor, orphan, marginalized and outcast with the latter as an object of charity by the more fortunate individuals, the end of which has been decoupled from empowerment or enfranchisement.

Against this religiously centered domestication, strides have been taken towards inclusion and enfranchisement. In Egypt, especially in the aftermath of 30th June revolution and under a political leadership attuned to the internationalization of discourse and globalization of culture, concrete measures have been taken to enfranchise PWDs on the institutional political level, the market-centric social practice, and the educational practice. The latter (a site of both institutional and Intersubjective inclusion) needs continual reconceptualization, especially in the absence of media socially attuned to translating the political leadership's take on the rights of PWDs.

6. Into Arabic in Egypt: Interpretation and Institutional Inclusion (Discursive Practice)

On February 2018, President Abdel Fatah Al-Sisi issued law no. 10 , 2018 on the Rights of Persons with Disabilities. The law constitutes the legislative formulation of the interpretative frame work adopted by Egypt upon its ratification of the convention, which recognizes "persons with disabilities on an equal basis with others before the law, with regard to the concept of legal capacity dealt with in paragraph 2 of the said article, is that persons with disabilities enjoy the capacity to acquire rights and assume legal responsibility ('ahliyyat al-wujub) but not the capacity to perform ('ahliyyat al-'ada'), under Egyptian law" (UNTC 2006)

This formulation was followed by a plethora of implementation measures designed to enfranchise the PWDs through furthering the capacity to perform. In July 2018, President el-Sisi announced the establishment of a technical center for services for disabled persons—the first of its kind in Africa designed to enable people with hearing or speech related disability to use technology to communicate through mobile phones. In the 7th International Conference on Information Technology Convergence and Services for People with Disabilities (ICT4PwDs), President Al-Sisi patronized a technologically facilitating initiative—online websites of governmental institutions to cater to the diverse needs of persons with disabilities. Under the Presidential direction, the Ministry of Housing undertakes the allocation of 5% percent of the national project on public housing to PWDs and initiatives are taken to enhance “accessibility of accommodation” (Article 2) in four governorates—Qena, Ismailia, Alexandria and Cairo. The Egypt Information and Communication

Technology Trust Fund (ICT-TF) of the Ministry of Communications and Information Technology (MCIT) and the UNDP) offers training and educational programs for PWDS in about 112 slum areas in Cairo. Many service projects have been established in Governorates in Upper Egypt in cooperation with NGOS (Terre des Homme), to advocate for rights and equal opportunities of PWD, and enhance their talents to enable them to operate and manage small projects for hand crafts. The Federation of Egyptian Industries' initiative of "Equal for a better living" aims at providing 1,000 employment opportunities in private sector for persons with disabilities. Indrafting the 2014 constitution, specifically in response to PWDs' activism for inclusion, the Egyptian constitution committee included a Person with Disability among the members of the committee for constitution drafting. The 2015 parliamentary elections was conducted through a proportional lists running in all constituencies, which gave PWDs a onetime quota resulting in the inclusion of nine PWDs candidates: eight elected and one presidentially appointed (Soliman 2019). In 26th of December 2017, the Egyptian Parliament issued its approval on a draft law^v for the establishment of the National Council for People with Disabilities, which is structured as an independent body with technical, financial and administrative independence. The council administrative structure includes seventeen PWDs in addition to public figures with expertise in disabilities' rights. These institutional measures and legislative strides for inclusion propelled parallel inclusion scheme in the social practices, which have been led by the Egyptian private economic sector—the harbinger of technological innovation and technologization of discourse in contemporary cultural economy.

6.1 Social Practice and the Politics of Labeling:

Market Participation and technologization of Disability Discourse

Within the dictate of business social responsibility and in tune with its innovative emergence and practice, Careem, a 3-year-old hyper growth startup in the Middle East in app-based car booking space, started its awareness-raising campaign on disabilities' rights on the 14th December 2018. The launch of its campaign along with its yet newest feature, "Careem Assist" designed to assist people with motor disability, index the market participation in both the social and discursive practice of disability inclusion. In addition to providing for ramps and disability-specific services, Careem's campaign engages in the politics of new labeling and naming as the panacea for re-signification of disability. The campaign repackages the term used in the Arabic translation ذوى الاعاقة into ذوى الارادة. **Fig 4** This repackaging not only reformulates the identity representation along the challenge paradigm, but it is also reflexive of the context-dependent overture of the company's CEOs and origin in Dubai. The official Emirate label of the PWDs is اصحاب الهمم, people with stamina. Though not the preferred label by the

internationalized discourse on disability, this re-naming and repackaging speaks of a thriving practice and attempted intervention with the globalized human rights culture. This intervention is in need of planning and calculation to projected outcome of inclusion along the dual planes of recognition and redistribution. The yet incomplete formulation of inclusion on the cultural scheme is evident in the lack of standardized labeling with respect to the PWDs identity-referencing and representation and its implication with respect to potential lapses in the interpretation of their rights. **Fig 5** showcases the unfinished process of consolidation in the KSA context and the linguistic disjunction and cultural dissonance between the institutional discourse and the not-yet socially debated Disabilities' rights. A Saudi awareness campaign on disabilities rights to recognition reads as follows: “don't call a handicapped a ‘handicap’ but name him/her as a person of special needs. Campaign on the handicapped rights”. In KSA, they are labeled ذوى الاحتياجات الخاصة.

6.2. Intersubjective and Institutional: Cultural Translation and Justice

The lack of a standardized idiom to reference PWDs pinpoints the problematic of cultural translation and accommodation of global categories to local setting. It more specifically points out a lacuna with respect to the culture of self-identification and referencing (the outcome of disabilities' activism in Western context) and its implication for the potential objectification of PWDs in other contexts. In the context of “internationalization of culture and globalization of discourse”, 'we all live in a "translated worlds“(Castro 2009).The State parties partaking in the authentication of the Convention and its translation into social practices have instituted institutional recognition and top-bottom scheme towards inclusion. These preliminary steps remain in need of translation through social debate and reconceptualization of Disabilities in plural and Persons with disabilities in diverse plural by those who enjoy the enabling burdens of disabilities. Or else, the institutional measure and schemes would be reduced to token politics of modernization and internationalization and with no subject-position ascription to and Intersubjective inclusion of the persons with disabilities—especially in the absence of standardized media discourse and media framing of the nuances of institutional inclusion discourse on the rights of PWDs.

The paper opened a repertoire between Critical Discourse Analysis, political philosophy, and translation theory to examine the interface between the textual and social practice of the UNCRPD (2006), its Arabic translation and the Arab-specific culturalized take on inclusion discourse within the context of globalization of culture and internationalization of discourse. The paper's findings are: first, the UNCRPD (2006) is structured through an activism-

based discursive practice on inclusion and recognition that involves the dual aspects of intersubjective and institutional inclusion with both the psychological and redistribution dimensions of recognition to the effect of construction of PWDs as subjects with rights through the human variation model entitlement to enfranchisement through access. Second, the Arabic translation purports a culturalization of the PWDs' rights to inclusion and recognition through domestication of the inclusion discourse within the religious paradigm through the Islamic exegetical thesis of التكافل الاجتماعي (social solidarity, interdependence, and symbiosis). This culturalization constitutes a double-edged weapon due to its potential objectification stance with respect to the personhood and citizenry rights of PWDs—best reflected in the lack of standardized Arabic term for labeling and identity-representation of PWDs. Third, the internationalization and globalization of human rights discourse and culture is propelling moves towards technologization of discourse in the Arab region and Arabic language, especially considering Arabic language assumption of the stature of diplomatic language. Arabic language was included among the official language of the United Nation in 1973. The technologization of discourse on disabilities' rights has been initiated by the private sector in the Egyptian context and the NGOs in other Arabic countries. Yet, more concerted efforts are needed in standardization of labeling vocabulary and representation categories of inclusion and social justice. The paper ultimately argues for the importance of culture and translation as a ground for meaning dissemination and signification, and the frame through which society and political reality becomes signified to trigger social process and practices through language. This argument for the re-signification impact of culture in political reality is structured in line with the new formulation of culture in social scientific debates, which according to Buden(2009) “has become this political stage itself, the very condition of the possibility of society and of our perception of what political reality. (p. 196)

Accordingly, cultural translation becomes the founding step for political change through reframing reality and framing plan of actions towards inclusion— plan embedded in a language game in continual need of interpretation and Intersubjective signification. On a final note, in the Egyptian higher-education context, in response to the presidential directive and dual-dimension formulation of inclusion^{vi}, the Supreme Council of Egyptian Universities issued an integration decision Fig where the PWDs are mainstreamed into one category with one measure to their inclusion in assessment scheme—a framing that resulted in a panic attack and breakdown to a student with mental disability. The system is yet in need of transformation to enable its working for everyone.

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<p>Fig 1 Fairclough's three dimensi onal concept of discours e</p>	
<p>Fig 2 Fairclough's three stages for CDA</p>	

Fig 3



United Nations Convention on the Rights of Persons with Disabilities (CRPD)

The Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol (OP) were adopted on 13 December 2006, as the first comprehensive human rights treaty of the 21st century. It entered into force on 3 May 2008. 2016 marks the 10-year anniversary of the CRPD.



The Conference of State Parties (COSP) to the CRPD

The COSP is the largest and most diverse international disability meeting in the world. It provides a launching pad to advance the human rights and inclusion of persons with disabilities in society and development. The annual Conference sees participation from Government delegations, UN Agencies, Civil Society and non-governmental organisations, National Human Rights Institutes, and Disabled Persons Organisations, and has grown in recent years.



Update as of 10 Oct 2016. Be Informed, Get Involved! www.un.org/disabilities;enable@un.org
More on the COSP, here: <http://bit.ly/crpd-cosp2>

- ### Articles of the CRPD
- Preamble
 - 1 - Purpose
 - 2 - Definitions
 - 3 - General principles
 - 4 - General obligations
 - 5 - Equality and non-discrimination
 - 6 - Women with disabilities
 - 7 - Children with disabilities
 - 8 - Awareness-raising
 - 9 - Accessibility
 - 10 - Right to life
 - 11 - Situations of risk and humanitarian emergencies
 - 12 - Equal recognition before the law
 - 13 - Access to justice
 - 14 - Liberty and security of person
 - 15 - Freedom of torture or cruel, inhuman or degrading treatment or punishment
 - 16 - Freedom from exploitation, violence and abuse
 - 17 - Protecting the integrity of the person
 - 18 - Liberty of movement and nationality
 - 19 - Living independently and being included in the community
 - 20 - Personal mobility
 - 21 - Freedom of expression and opinion, and access to information
 - 22 - Respect for privacy
 - 23 - Respect for home and the family
 - 24 - Education
 - 25 - Health
 - 26 - Habilitation and rehabilitation
 - 27 - Work and employment
 - 28 - Adequate standard of living and social protection
 - 29 - Participation in political and public life
 - 30 - Participation in cultural life, recreation, leisure and sport
 - 31 - Statistics and data collection
 - 32 - International cooperation
 - 33 - National implementation and monitoring
 - 34 - Committee on the Rights of Persons with Disabilities
 - 35 - Reports by States Parties
 - 36 - Consideration of reports
 - 37 - Cooperation between States Parties and the Committee
 - 38 - Relationship of the Committee with other bodies
 - 39 - Report of the Committee
 - 40 - Conference of States Parties
 - 41 - Depositary
 - 42 - Signature
 - 43 - Consent to be bound
 - 44 - Regional integration organizations
 - 45 - Entry into force
 - 46 - Reservations
 - 47 - Amendments
 - 48 - Denunciation
 - 49 - Accessible format
 - 50 - Authentic texts
- Full Convention available for download at www.un.org/disabilities

The Committee of the CRPD

The Committee of the CRPD is the body of independent experts which monitors implementation of the Convention by States Parties. There are 18 members of the Committee. Currently, they represent the following regions:

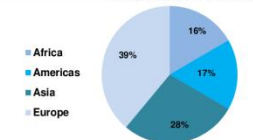


Fig 4
Dark Green: signed and ratified;
Light Green Signed but not ratified;
Grey: not signed

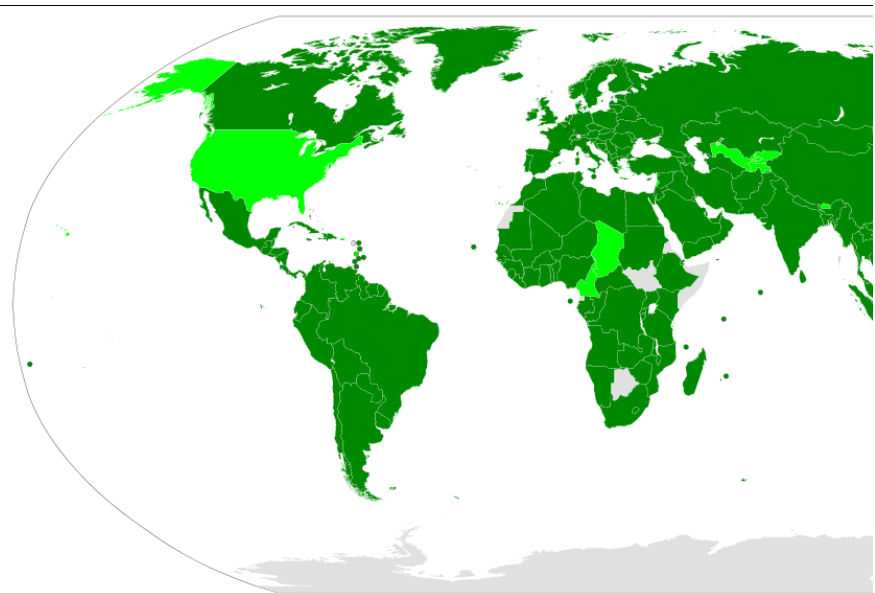
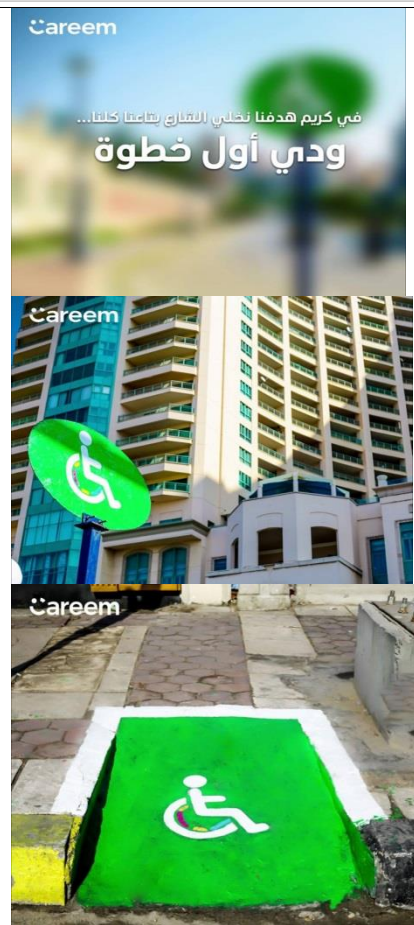


Fig 5
Careem's
Campaign



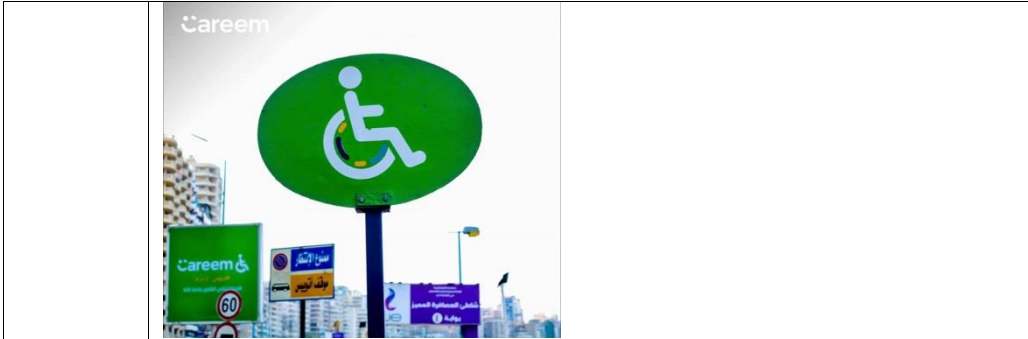
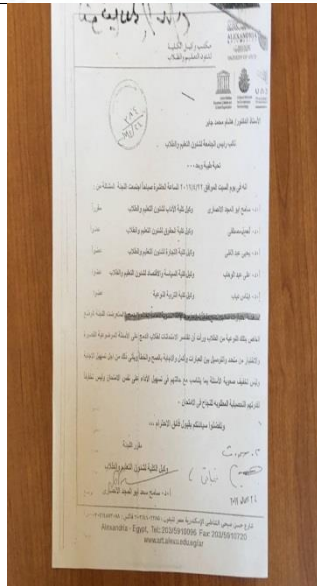


Fig 6
Saudi
Campaign
for
PWDs
rights



Fig 7
The
Supreme
Council
Integrati
on
Decision
with its
MCQ
assessm
ent
procedur
es for
students
with
disabiliti
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The origin of the term ‘identity politics’ is sometimes traced to the 1960s Civil Rights Movement, but it was articulated by women of color in their 1977 Combahee River Collective Statement. The term refers to collective group identities like race, ethnicity, sex, religion, caste, sexual orientation, physical disability as the basis for

political analysis and action. Its main objective is to empower individuals to articulate their discrimination and invisibility through consciousness raising and action.

ⁱⁱUp until 2004, persons with disabilities were patronizingly treated as object of charity—not subjects with rights. A disability is broadly defined as a condition or function judged to be significantly impaired relative to the usual standard of an individual or group. The term is used to refer to individual functioning, including physical impairment, sensory impairment, cognitive impairment, intellectual impairment mental illness, and various types of chronic disease. Conventional definitions of "*disabled*" and "*disability*" stem from social service programs and benefits programs such as Social Security. These definitions, dating back many years uniformly used the term "*disabled*" or "*disability*" to mean "*unable*" - to work, to handle gainful employment, etc. If you look up definitions of "*disabled*" you will find these kinds of definitions. "Disability" and "Disabled" are terms that are undergoing change due to the disability rights movement both in the U.S. and U.K. To a lesser extent this is occurring worldwide. To most people today the term "*disabled*" still means just that, and, more broadly, means "*unable to perform*" this or that physical or mental function. Even more broadly, a large group of physical or mental conditions are "*disabilities*" - things people have also called "*afflictions*" or "*impairments*" or "*injuries*" or "*diseases*." Beginning in the 1970s, people labeled as "*disabled*" began seeking changes in society that would allow them to have a better life. Since the 1980s, this effort has generally been termed "*disability rights*" advocacy or "*disability rights activism*." The term is "*disability rights*" - not "*disabled rights*" or "*handicapped rights*" simply because historically and politically that's the term that the activists themselves have come to call it. So the correct term is "*Disability Rights*." "Calling a person disabled - not THE disabled but a disabled person is almost always considered correct. This is the primary term used in the UK and amongst academics and activists in the United States. Many people still use "*handicapped*" or "*crippled*" or "*afflicted*." None of these terms is looked upon with

favor by anyone in the organized U.S. or U.K. disability rights movement. "Handicapped" is truly detested in U.K. circles. Handicapped is offensive - it's a limiting term. Challenged is just sugar coating, as is impaired or any other word that attempts to "dance around" the subject matter. The idea of being challenged emerged about 10 years ago and is condescending. People with disabilities are not challenged - you are challenged to play chess and one of you wins - disabilities you live with - you struggle - you face them head on - there is only learning to accept and move onward. They are not dismissing the fact that they are disabled - but they are dismissing it as a negative experience. I am autistic. I am an aspie. I am deaf. I am blind. I am disabled. There are some words, three especially, that have been rejected nearly universally - retardation and any derivative like retard, tard, retarded; spastic and spaz; Cripple and cripp. Just like the N word is used between peers - spaz and cripp are used between close friends.

ⁱⁱⁱSarcevic (1997) argues that due to the main goal of legal translation –reproduction of "the content of the source text as accurately as possible", it has been agreed among both lawyers and linguists "that legal texts had to be translated literally. This dictum became the rule for legal translation even" after legal translators won the right to produce texts in the spirit of the target language"—the general principle for legal translation remains fidelity to the source text.

^{iv}In the UN manual for Arabic translation, the UN acknowledges "the room for the exercise of stylistic judgments", yet its final conclusion is that fidelity to the original text must be the primary concern.

^vAccording to Soliman (2019), the law was drafted and proposed by the MP Dr Heba_Hagrass and came as a culmination for the accumulative efforts of the committee of "Social Solidarity, Family and PWD" in the Egyptian Parliament. Hagrass qualifies the law as "comprehensive" reflecting "human rights perspective rather than charity or philanthropic approach" with affirmative discrimination as the logic of its composition through quotas, exemptions or facilitations. The legislative treats PWDs as "equal citizens who have rights and obligations and not a group or individuals deserving charity support" (Soliman 2019 par4).

^{vi}In his speech at the first Arab forum for special education schools, President al-Sisi highlights two concepts in the State's inclusion discourse: first, the need for collective participation (from the governmental institutions, NGOs and private sectors towards reconceptualization and reformulation of societal culture with respect to disabilities: second, inclusion as a process to social re-education and reformulation of the acceptance of the other and cognition/recognition of cultural diversification and plurality. This nuanced framing of inclusion—not yet translated into media discourse—pinpoints to the interactive relation between institutional and Intersubjective inclusion, which remains in a process of translation predicated on the social practice of endorsing the institutional discourse. Thus arises the necessity of cultural translation of discourse into social process and practice to enable the perception of PWDs as individuals with special (different) needs.

- ان قضية الإعاقة قضية مجتمعية يلزم لمواجهتها تضافر كافة الجهود الحكومية مع جهود منظمات المجتمع المدني والقطاع الخاص، ومن هنا فإن المشاركة المجتمعية أصبحت ضرورة قصوى مشاركة لا تكتفى فقط بالمساهمة بالموارد، ولكنها تتعدى ذلك إلى صياغة الفكر، وتشكيل الثقافة المجتمعية التي يمكن أن تسمح بتحقيق التنمية المستدامة....
- إن الدولة تهتم بصفة أساسية بتطبيق مفهوم دمج الطلاب ذوي الإعاقة مع أقرانهم الأصحاء حيث أن ترسيخ أسس التعامل الإيجابي بين الطلاب جميعاً يمهد الطريق نحو تعزيز مراعاة الآخر، وإدراك الاختلاف البدني والنفسي بين الأفراد، وكذا التعاون مع الغير دون تمييز.

(Al-Sisi “Speech” 2018)

References

- Buden, B. Nowotny, S. Simon, S. Bery, A. Cronin, M. (2009) "Cultural translation: An Introduction to the Problem, and Responses", *Translation Studies*, Vol. 2, No. 2, 2009, 196_219. Last Retrieved from <http://warwick.ac.uk>
- Cao, D. Zhao, X. (2008) "Translation at the United Nations as Specialized Translation. *The Journal of Specialized Translation*. Iss.9 Last Retrieved from <https://www.jostrans.org>
- Castro, O. (2013). "Introduction : gender, language and translation at the crossroads of disciplines. *Gender and Language*", 7(1), 5-12. Retrieved from <https://doi.org/10.1558/genl.v7i1.5> July 2019
- Edzard, L. (1996). "Stylistic Elements in the Use of Arabic as Language of Diplomacy: Recent Developments in the United Nations Context." Brill: *Die Welt des Islams*, New Series, Vol. 36, Issue 1 (Mar., 1996), pp. 25-58. Last Retrieved from <http://jstor.org>.
- El-Farahaty, H. E. (2011). "Problems of Translating Legal Discourse with Special Reference to the United Nations' Documents". Last Retrieved from El-Farahaty, H. E. (2011). "Problems of Translating Legal Discourse with Special Reference to the United Nations' Documents".
- Fairclough, N. (1989). *Language and Power*. New York: Longman Inc.
- ... (1995). *Critical Discourse Analysis: the Critical Study of Language*. London: Longman Inc.
- Fraser, N. (2001). "Recognition without Ethics." *SAGS Journals*. Last Retrieved from <https://journals.sagepub.com>
- Floros, G. (2005). "Translation Typology and the Interdisciplinarity of Translatology". *Meta*, 50, (4), <https://doi.org/10.7202/019837ar>
- Honneth, A. (1995). *The Struggle for Recognition: the Moral Grammar of Social Conflicts*. Cambridge: The MIT Press.
- Imani, R. (2008). "Impairment to Globalizing the Western Human Rights Discourse." *BRIL: Societies without Borders*(3) pp. 270-284.
- Iser, Matthias, "Recognition", *The Stanford Encyclopedia of Philosophy* (Summer 2019 Edition), Edward N. Zalta (ed.), forthcoming URL = <https://plato.stanford.edu/archives/sum2019/entries/recognition/>.

-
- Maldenov, T. (2013). "The UN Conventions on rights of persons with disabilities and its interpretation" *ALTER. European Journal of Disability Research* (7)pp68-82.
- Martineau, W., Meer, N. & Thompson, S. "Theory and Practice in the Politics of Recognition and Misrecognition." *Res Publica* (2012) 18: 1. Last Retrieved from <https://doi.org/10.1007/s11158-012-9181-7>
- Morrison, Z. (2010). "On Dignity: Social Inclusion and the Politics of Recognition." Melbourne: Social Policy Paper no, 12.
- Newmark, P. (1988). *A Textbook of Translation*. Prentice Hall
- Oliver, M. (1994). "Politics and Language: Understanding the Disability Discourse." Last Retrieved from <https://disability-studies.leeds.ac.uk>
- Parker, S. (2004). "Searching for the Absent Citizen: Enabling and (Dis)abling Discourses of Social Citizenship." *Australian Journal of Human Rights*. Vol 12(2) Last Retrieved from <https://www.researchgate.net>
- Richler, Diana. 2018. "Pushing the Boundaries" <https://www.jewishcanada.org/speakers-and-presenters/diane-richler>
- Sarcevic, S. (1997). *New Approaches to Legal Translation*. The Hague: Kluwer Law International. Last Retrieved from <https://www.semanticscholar.org/paper/New-Approach-To-Legal-Translation-%C5%A0ar%C4%8Devi%C4%87/a8677d848b348da8be024b7849f650e2f9d5052f>
- Soliman, A. (2019). "A New Legislation for the Egyptian Persons with Disabilities: Hopes and Fears." *Rethinking Disability: The Global Impact of the International Year of Disabled Persons (1981 in Historical Perspective)*. Last Retrieved from <http://rethinkingdisability.net/category/blog/>
- The United Nations. (2006). Convention on the Rights of Persons with Disabilities. *Treaty Series, 2515*, 3. Last retrieved from <https://treaties.un.org>
- The United Nations Treaty Collection 2006 Last retrieved from <https://treaties.un.org>
- Taylor, C. "The Politics of Recognition." Last Retrieved from <https://www.uio.no>
- Wasserman, David, Asch, Adrienne, Blustein, Jeffrey and Putnam, Daniel, "Disability and Justice", *The Stanford Encyclopedia of Philosophy*. Last Retrieved from <https://plato.stanford.edu>
- World Health Organization ([1976][1980] 1993). "International Classification of Impairments, Disabilities and Handicap: A Manual of Classification relating to the Consequences of Disease." Last Retrieved from <https://apps.who.int>
- Zizek, S (2007). "Tolerance as an Ideological Category". *Critical Inquiry*-Autumn. Last Retrieved from <http://www.lacan.com> May 2017.