

The Protection of Human Rights in the Construction of Barrier-free Environment

— Viewed from the Perspective of the Marxist Human Rights Concept

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Abstract: *The construction of a barrier-free environment contains a rich connotation of human rights protection, and is closely related to the study of human rights protection in China. With the evolution of the concept of barrier-free design and the expansion of its beneficiary groups, constructing a barrier-free environment has become a basic task that benefits all members of society and meets the public needs of all the people, with its core goal expanding from the protection of the rights of the disabled to the protection of the basic rights and interests of all members of society. Building a barrier-free environment from the perspective of the Marxist human rights concept is conducive to safeguarding the people's right to subsistence and development, and at the same time, it satisfies their demand for the right to pursue a high-quality and better life and reflects the common vision of everyone in society fully enjoying human rights. Promoting the construction of a barrier-free environment in terms of legal protection based on China's institutional advantages can improve and innovate the country's legislation on the construction of a barrier-free environment, so as to play an exemplary and guiding role in enhancing the international barrier-free level and enable all people to enjoy the good life created through the drive to build a barrier-free environment.*

Keywords: construction of barrier-free environment ♦ human rights protection ♦ Marxist human rights concept

The construction of a barrier-free environment is a significant livelihood project that embodies inclusiveness, universality, and necessity. The notion of “barrier-free” is not only a “patent” of the disabled community but also a “public good” shared by all members of society, crucial to the fundamental rights of the entire social populace. China, with the world's largest population of disabled and elderly individuals, faces an urgent demand for a more extensive, higher-level, and standardized barrier-free environment. A barrier-free environment constitutes a vital component of China's infrastructure, public services, and safety assurance system. Recognizing the great

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importance of steadily promoting common prosperity and highlighting the people's central role, it is imperative the country comprehensively understand and make efforts to construct a comprehensive barrier-free environment. This endeavor aims to transform a barrier-free environment into a tremendous societal asset that can be enjoyed by both present and future generations.

Xi Jinping, General Secretary of the Communist Party of China (CPC) Central Committee, has pointed out that the issue of barrier-free facility construction is a symbol of a country and society's civilization, and we must attach great importance to it.¹ Since the 18th National Congress of the CPC, the country has consistently regarded respecting and safeguarding human rights as a crucial aspect of governance. The construction of a barrier-free environment, as a symbol of social civilization and a component of human rights development in our country, deserves high attention from the entire society. This article, grounded in the Marxist concept of human rights, endeavors to elevate the construction of a barrier-free environment from a practical issue to a theoretical one. By doing so, it aims to promote theoretical innovation based on barrier-free practices and explore the human rights protection implications inherent in a barrier-free environment. This approach can not only contribute to broadening the country's perspective on human rights but also propel the development and progress of its human rights endeavors. Furthermore, it can facilitate the establishment of a distinctive barrier-free protection system and a human rights model with Chinese characteristics, effectively advancing the multifaceted, comprehensive, and high-quality development of human rights endeavors in China. It provides a certain level of theoretical insight into the profound advancement of human rights in various domains.

I. Research Foundation

A. Barrier-free design: development of the concept and expansion of beneficiary groups

It is generally agreed among the academic community that a barrier-free environment encompasses two main components: a barrier-free material environment and barrier-free information communication. The former, also known as a barrier-free physical environment, primarily covers accessible public facilities (ramps, handrails, tactile paving, disabled parking spaces, pedestrian overpasses, public transportation, etc.), accessible internal transportation systems (elevators, accessible bathrooms, wheelchair access, etc.), and various assistive devices. The latter primarily includes services such as speech and text prompts, sign language, braille, and other forms of information exchange. The barrier-free environment sets requirements and standards in various aspects of human life, social interactions, and architectural spaces to cater to the needs of individuals with disabilities. The direct objectives of constructing such an environment are, on the one hand, to create accessibility and usability in the environment for everyone and, on the other hand, to ensure that all individuals can equally and conveniently access and utilize information.

1. "Adhering to the People's Aspirations, Embarking on the Long March of the New Era," *People's Daily*, September 21, 2020.

The construction of a barrier-free environment relies on the concepts of barrier-free design. Among these, the concept of universal design is a method to refine the planning and standards for barrier-free construction. Originating in the field of architecture in the United States, the paramount principle of universal design is “equitable use.”² This principle advocates addressing the needs of all individuals, going beyond the focus on specific groups, such as people with disabilities. It emphasizes considering all types of users, stressing that all environments, facilities, products, and services should be designed to be used fairly and conveniently by everyone to the maximum extent possible. In regions such as Europe and Japan, there is a similar concept known as inclusive design, which embodies a comparable philosophy. Inclusive design strives to encompass the needs of a broad range of users. Additionally, inclusive design goes beyond addressing user needs; it promotes expanding the depth and breadth of people’s participation in society through design principles, providing opportunities for diverse groups to experience and integrate into society.³

The beneficiaries of a barrier-free environment continue to expand with the innovation of various barrier-free design concepts. Initially, the purpose of constructing a barrier-free environment was simply to add a means of convenience for people with disabilities, extending the tools available for their daily lives.⁴ However, today’s barrier-free environment is no longer solely equivalent to “wheelchair accessibility.”⁵ It extends far beyond addressing the needs of a vast population of individuals with disabilities. Instead, it aims to, on the basis of eliminating the limitations imposed by the environment on the lives of people with disabilities, make further efforts to meet the needs of the elderly, pregnant women, children, infants, and all adults. It gradually becomes a crucial pathway for various groups to engage in free movement, independent living, social participation, and gaining a sense of recognition. According to a survey in Germany, barrier-free construction is a necessity for 10 percent of the population, a requirement for 40 percent of the population, and a convenience for 100 percent of the population.⁶ This fact implies that the beneficiaries of the construction of a barrier-free environment are diverse. On the one hand, some have an absolute need for a barrier-free environment, encompassing individuals with mobility restrictions due to various reasons. On the other hand, there are potential beneficiaries of a barrier-free environment — individuals with relative needs, which includes those who may benefit from facilities and equipment such as baby strollers, luggage carts, bicycles, and other things.

The fundamental interest of the people is the core focus throughout the develop-

2. *The 7 Principles*, accessed November 5, 2022, <https://universaldesigrtie/what-is-universal-design/the-7-principles>.

3. Wang Guoyu, *Disability Research: Theory and Policy Application* (Kaohsiung: Chuliu Book Co., Ltd. of Kaohsiung City, 2012), 273.

4. Takahashi Gihei, *Accessible Architecture Design Manual: Designing Buildings for the Elderly and Disabled*, translated by Tao Xinzong (Beijing: China Architecture & Building Press, 2003), 119.

5. Christian Schittich, *Housing for People of All Ages*, translated by Wang Yongyong (Dalian: Dalian University of Technology Press, 2009), 17.

6. J. W. Fisher, *Design Manual Accessible Architecture*, translated by Chang Wenxin (Shenyang: Liaoning Science and Technology Publishing House, 2014), 19.

ment of the subject and service recipients of a barrier-free environment. The evolution of concepts, from “designing and constructing for people with disabilities” to “universal inclusive design” and ultimately to the idea that “the barrier-free environment benefits everyone,” highlights the progress of societal civilization. A barrier-free environment can facilitate people’s participation in social life, while an environment with barriers can lead to the exclusion of certain individuals.⁷ It is evident that an environment with barriers shapes and solidifies marginalized and minority groups, hindering the free development of individuals. Therefore, the construction of a barrier-free environment should be regarded as a fundamental task relevant to all members of society. It necessitates long-term development and sustainable growth.⁸ As China’s construction sector consistently advances the progress of barrier-free design concepts in practice, the academic community is gradually establishing theoretical connections between topics such as “barrier-free” and “human rights protection.”

B. The barrier-free environment: formation of consensus and its relevance to human rights protection

To date, the international community seems to have reached a consensus that people with disabilities, like all members of society, enjoy equal and common rights. The purpose of the construction of a barrier-free environment is to enable all people in society to participate in social life equally, freely, and independently. The beneficiaries have expanded to include every member of society. However, in the early stages of research on barrier-free environments and human rights protection, the focus was mainly on the human rights issues of people with disabilities. In reality, people with disabilities, as a vulnerable group, have undergone a long process of societal attention, evolving from minimal and low-quality awareness to a higher quality of consideration, which further forms the basis for the connection between barrier-free environment and human rights protection issues. On a global scale, research on disability rights in the Western world started early and have reached a high level of depth, providing rich practical materials for the development and improvement of China’s perspective on the human rights of people with disabilities.

Under the modern Western perspective on disabilities, individuals with disabilities are considered integral members of society. They are not only participants in society but also rightful recipients of various rights, entitled to equal human rights protection as their non-disabled counterparts.⁹ In 1983, Michael Oliver, a professor of disability studies in the United Kingdom, introduced the innovative concept of the “social model of disability” in his book *Social Work with Disabled People*. He asserted that individuals are not inherently “disabled” due to their physiological impairments; instead, it is the societal barriers that people face that constitute the real “disability.” Oliver shifted the discourse on the social development of individuals with disabilities from a purely medical perspective to a discussion of human rights

7. Lyu Shiming, “Promoting the Construction of a Barrier-Free Environment through Public Interest Litigation and Prosecution,” *People’s Tribune* 13 (2021): 6.

8. Bess Williamson and Elizabeth Guffey, *Making Disability modern* (London: Bloomsbury, 2020), 7.

9. Zhou Pei, *Social Work with Disabled People* (Beijing: Social Sciences Academic Press, 2012), 14-16.

issues.¹⁰ Subsequent advocates of the social model have emphasized, on the one hand, the equal rights of individuals, asserting that barriers originate from the social environment. They argue that it is the responsibility of society to eliminate obstacles rather than expecting individuals to adapt to them. On the other hand, they persistently criticize the lack of legal protection for the social rights of individuals with disabilities in areas such as transportation and employment. They call for empowering individuals with disabilities to have “the ability to do what they want to do.”¹¹ Some disability advocacy groups in the United States believed that the national system hindered their access to due rights as citizens. Influenced by various social movements at the time, they initiated human rights movements with a focus on “rights,” advocating for an egalitarian perspective on disability and resisting any discriminatory behavior. Simultaneously, they dedicated themselves to promoting reform in societal systems, urging the government to address the survival rights of people with disabilities and incorporate them into mainstream societal life.¹²

Over the past few decades, numerous internationally recognized frameworks have provided significant guidance worldwide for safeguarding the human rights of people with disabilities. As terms concerning the construction of a barrier-free environment are repeatedly mentioned, an international consensus has been gradually established: the construction of a barrier-free environment should be recognized as contributing to the promotion of human rights protection on a global scale. The *Plan of Action for the International Year of Disabled Persons* in 1963 explicitly stated that a society centered on able-bodied people is an incomplete society. This further raised awareness that vulnerable groups such as people with disabilities should also be the subjects of human rights protection, enjoying equal rights to participate in social life and development. In 1975, the United Nations, in the *Declaration on the Rights of Disabled Persons*, emphasized the need to “assist disabled persons to develop their abilities in the most varied fields of activities.” In 1993, the United Nations passed the *Standard Rules on the Equalization of Opportunities for Persons with Disabilities*, stating that “states should recognize the overall importance of accessibility in the process of the equalization of opportunities in all spheres of society.” These statements underscore the significant role of a barrier-free environment in facilitating the equal participation of people with disabilities in society. It was not until 2006 that the United Nations officially and explicitly mentioned the connection between “barrier-free” and “human rights protection” in the *Convention on the Rights of Persons with Disabilities*. In the preamble of this convention, it is stated, “recognizing the importance of accessibility to the physical, social, economic and cultural environment, to health and education and to information and communication, in enabling persons with disabilities to fully enjoy all human rights and fundamental freedoms.” Additionally, Article 9 of

10. Michael Oliver, “The Social Model of Disability: Thirty Years On,” *Disability & Society* 7 (2013): 1024-1026.

11. Colin Barnes and Geoff Mercer, *Disability Policy and Practice: Applying the Social Model of Disability* (Leeds: The Disability Press, 2004), 11-15.

12. David Pfeiffer, “Overview of the Disability Movement: History, Legislative Record, and Political Implications,” *Policy Studies Journal* 4 (1993): 724-734.

this convention is titled “Accessibility,” and it specifies that “to enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications.”

Especially in the context of the accelerated urbanization process worldwide in contemporary times, how people participate in social activities has undergone significant changes. In the urbanization conditions, the “convenience,” “mobility,” and “accessibility” provided by a barrier-free environment should not only be considered as equal rights but also as the foundation for individuals to realize many other rights.¹³ With this understanding established, research on the relationship between a “barrier-free environment” and “human rights protection” has gradually become independent from the broader issue of human rights protection for people with disabilities. Moreover, in recent years, it has gained increasing attention from the academic community.

II. The Fundamental Connotation of Human Rights Protection in a Barrier-Free Environment: Progressive Fulfillment of Rights Needs

The construction of a barrier-free environment encompasses rich layers of rights, pointing towards the most fundamental rights of individuals, namely, the right to subsistence and development. It also includes a broad range of high-quality and desirable rights in societal, economic, and cultural aspects that people pursue for a good life. Originating from the real-life experiences of people, the barrier-free environment, based on the foundation of addressing people’s issues of survival and development, progressively satisfies the diversity, comprehensiveness, and richness of people’s aspirations for a good life. The construction and improvement of a barrier-free environment are essential conditions for promoting the free and comprehensive development of individuals, perfectly aligning with the necessity of implementing the Marxist human rights concept.

A. The protection of the rights to subsistence and development: safeguarding “primary basic human rights”

Human beings are at the core of all development, and ensuring the survival and development of individuals constitutes the fundamental starting point in the Marxist philosophy of world history. Therefore, the living conditions of individuals are a central concern in Marxist theory. Among the fundamental human rights, the right to subsistence and the right to development are the most basic and serve as prerequisites and conditions for enjoying other human rights. General Secretary Xi Jinping has pointed out, “focusing on basic human rights, primarily the rights to subsistence and development.”¹⁴ Under internationally recognized human rights standards, the core of

13. Pan Haixiao and Jean-François Doulet, *Ville, handicap et accessibilité* (Wuhan: Tongji University Press, 2008), 1.

14. Xi Jinping, “Steadfastly Following the Chinese Path to Promote Further Progress in Human Rights,” *Qiushi Journal* 12 (2022).

human rights includes the right to life, which ensures the preservation of life, and the right to individual autonomy and development, providing individuals with the space to participate in societal affairs independently.¹⁵ The construction of a barrier-free environment has broad and close connections with the right to subsistence and the right to development of the Chinese people. Its significance needs to be further recognized and understood through a close combination of theory and practice.

The right to subsistence is the foundational prerequisite for the realization of other human rights, and the construction of a barrier-free environment provides individuals with safe and necessary external conditions for survival. As Marx pointed out, the first premise of all human history is undoubtedly the existence of living individuals. Human history starts from the individual's state of survival. We should first establish the first premise of all human survival, which is also the first premise of all history. This premise is that for people to "make history," they must be able to live. For the sake of life, the first necessities are food, drink, shelter, and other essentials.¹⁶ Human life is the vital force of production, and the production and reproduction process of human existence depends on the life organism. However, due to various accidental factors, we cannot avoid congenital or acquired accidents that cause harm to the live organism. Nevertheless, these groups, as an essential part of the diversity of human civilization, should also be regarded as a vital force in history. Therefore, for survival, the first step is to ensure that all of humanity achieves the sustenance of life activities, such as "eating, drinking, and living," and only then can the conditions for exercising other human rights be obtained.

The right to subsistence and development of vulnerable groups, represented by people with disabilities, is a fragile and crucial aspect of social history, carrying significant moral considerations and value judgments. In China, with over 85 million people with disabilities, 267 million people aged 60 and above, and over 40 million elderly people with disabilities or partial disabilities, the barrier-free environment serves as a "lifeline" crucial for their normal survival in modern society. In various aspects covered by the social security system, such as travel, healthcare, employment, education, elderly care, and housing, the barrier-free environment is an essential requirement for their survival and development. Even minor weaknesses in these sectors may pose a serious threat to the life safety and health of the people. In recent years, China has witnessed several accidents resulting from the lack of barrier-free facilities or non-compliance with standards, sparking numerous discussions and reflections on the current status of the barrier-free environment.^{17 18} As a socialist country under the people's democratic dictatorship, China has consistently linked the survival of individuals with the country's overall development while pursuing high-quality, all-round development

15. Qi Yanping, *Evolution of the Ideology of Human Rights* (Jinan: Shandong University Press, 2015), 83.

16. Central Compilation and Translation Bureau, *Karl Marx and Frederick Engels Collected Works, vol. 1* (Beijing: People's Publishing House, 2009), 519.

17. "The Unexpected Death of an Advocate for Barrier-Free Travel," accessed October 15, 2022, https://www.thepaper.cn/newsDetail_forward.4048711.

18. "The Death of Chen Xiaoping, a Person with Disabilities: Challenges in the Application of Barrier-Free Facilities," accessed October 15, 2022, <https://www.nfpeople.com/article/10607>.

of socialist modernization. The construction of a barrier-free environment is, in practical terms, a crucial prerequisite to ensure the right to subsistence for the people.

The right to subsistence not only encompasses the physiological continuation of individual life but also involves the assurance of survival within certain social relationships. This entails the freedom and conscious ability to govern one's individual life.¹⁹ Marx emphasized that, "The whole character of a species, its species-character, is contained in the character of its life activity; and free, conscious activity is man's species-character."²⁰ Therefore, for individuals to engage in conscious basic survival activities and enjoy the right to subsistence with individual freedom, there is a need for a comprehensive environment that facilitates "freedom." The real-life activities of individuals rely on the carriers of environmental space, encompassing both the objective physical environment (such as accessible infrastructure like roads and buildings) and the socio-cultural environment (information barrier-free environment). Only by combining these two aspects can a barrier-free environment be established that supports the basic survival, healthy living, and comprehensive development of the people, covering all aspects of their lives.

The right to development is inseparable from the right to subsistence and should be placed in the foremost position when safeguarding human rights, serving as an extension and guarantee of the right to subsistence. Individual development is intertwined with societal development, and people's daily lives are a crucial component of social life. To safeguard the right to development, on the one hand, it is essential to systematically examine individual self-development based on the foundation of societal development. Marx holds that "the individual is the social being. His manifestations of life — even if they may not appear in the direct form of communal manifestations of life carried out in association with others — are therefore an expression and confirmation of social life."²¹ Therefore, "Man is the world of man, state, society." In other words, if individuals cannot actively participate in social life without hindrance and cannot observe their "performance and confirmation" in societal engagement, they will find it difficult to establish connections with the economic, political, cultural, and natural aspects of societal development, rendering the right to development elusive. The barrier-free environment, on the one hand, eliminates obstacles for all members of society to access public places and obtain public information, significantly lowering the entry barriers for marginalized groups to integrate into social life and ensuring their basic attributes and development rights as "social entities." On the other hand, even if some groups in society choose not to engage in social life through the "direct form" of "being with others," the existence of the barrier-free environment allows them opportunities and conditions to understand, learn, integrate into, and transform society, without being excluded from societal development due to initial, objective obstacles. In the pursuit of substantial equality of opportunities, the construction of a barrier-free environment has important practical significance in the integration

19. Miao Guishan, *On Marx and Engels' Human Rights Theory and Its Contemporary Value* (Beijing: People's Publishing House, 2007), 218.

20. Central Compilation and Translation Bureau, *Karl Marx and Frederick Engels Collected Works, vol. 1*, 62.

21. *Ibid.*, 188.

and unity of individual and societal development, as well as in realizing the vision of all citizens participating in social governance and promoting the co-construction and sharing of societal development.

Besides, to achieve equal protection of the right to development, we should insist that the right to development is actually implemented for each specific individual in society, especially ensuring the rights of specific groups that are disadvantaged due to various subjective and objective factors.²² Therefore, the right to development also concerns the realization of equality and justice in society. The theory of the justice as fairness of American political philosopher John Rawls holds that it should be “to the greatest benefit of the least advantaged.”²³ Based on his discourse on a general theory of justice that aligns with the interests of everyone, he emphasizes that the priority of fair opportunities means that we must give opportunities to those with fewer opportunities²⁴ and that inequality of opportunity must be expanded for those with fewer opportunities.²⁵ His theory tends to focus on compensating and redistributing for the least advantaged, aiming to realize the desire for a society where all members are in an equal position. Rawls’s discourse provides theoretical support and humanistic care for the social concern of safeguarding vulnerable groups, although it does not emphasize the real freedom and comprehensive development of individuals. Nevertheless, it is one of the original intentions globally to promote the rights of disabled people and the barrier-free concept. However, in comparison, the social justice theory has a certain degree of a priori nature. Rawls’s advocated scheme of welfare redistribution and social interest leaning towards the “least advantaged” often involves a one-dimensional welfare service conducted from the top down at the societal level. After benefiting a few vulnerable groups, it may tend to stagnate and lacks essential exploration of the nature of the freedom and comprehensive development of all individuals under the Marxist human rights concept.

Political philosopher Gerald A. Cohen, to a certain extent, adhered to Marxist positions and proposed the principle of equal opportunity in socialism. The core idea is that people need “Equal Access to Advantage.” In this context, “advantage” not only refers to social welfare but also emphasizes the opportunities to access social welfare. Cohen considers the latter as a prerequisite for promoting equality.²⁶ He advocates for a core concept of a community based on “sharing” and “reciprocity,” where everyone would be in an equal relationship.²⁷ In contrast, the construction of a barrier-free environment, when barrier-free resources are scarce and development is not yet sufficient, can indeed be seen as a form of social welfare that promotes the survival and

22. Wang Xigen, *The Research Report on the Right to Development of China* (Beijing: People’s Publishing House, 2020), 42.

23. John Rawls, *A Theory of Justice*, translated by He Huaihong (Beijing: China Social Sciences Press, 1995), 302.

24. *Ibid.*, 301.

25. *Ibid.*, 303.

26. Gerald A. Cohen, *Between Marx and Nozick*, translated by Lyu Zengkui (Nanjing: Jiangsu People’s Publishing House, 2008), 159.

27. Cao Yutao, *Analyzing Research on Marxist Justice Theory* (Beijing: People’s Publishing House, 2010), 199.

development of members of the social community. However, if we further assume the existence of a high-quality barrier-free environment in society, it will undoubtedly transcend ordinary social welfare and evolve into a protective social right that facilitates people's access to other social benefits. This is undoubtedly the longer-term goal of the country: to implement the people's standpoint and build "a world... where everybody is equal and free."²⁸

B. The pursuit of the Right to a high-quality and beautiful life: towards "free and all-around development"

Marxist theory seeks the "free and all-around development of human beings," and issues related to human survival and development permeate the entire Marxist theoretical framework. Achieving the liberation as well as the free and all-around development of human beings was the lifelong mission and goal that Marx and Engels dedicated themselves to.²⁹ This pursuit also forms the theoretical foundation for the quest for the right to a high-quality and beautiful life.

The construction of a barrier-free environment reflects the humanistic care in China's high-quality development. Marx emphasized in *Critique of the Gotha Program* that "right can never be higher than the economic structure of society and its cultural development conditioned thereby,"³⁰ China has incorporated the principle that the construction of a barrier-free environment should be adapted to the level of economic and social development into the *Regulations on the Construction of Barrier-Free Environment*, which has been in effect since 2012. Indeed, during the period of relatively backward development in the country's productive forces, the economic foundation and material conditions for constructing a barrier-free environment were not yet in place. However, as it has now entered a new era and successfully achieved the goal of building a moderately prosperous society in all respects, the material foundation of social development has become more solid. The progress that has been made has enabled the country to vigorously promote the construction of a barrier-free environment under new historical conditions, continuously create a better life for the people, gradually promote common prosperity for all, and drive the free and all-around development of all members of society. At the same time, the demand from the people for a barrier-free environment has evolved from a concern of "whether it exists" to a consideration of "whether it is good." In the new era, the construction of a barrier-free environment urgently needs to achieve high-quality development. It is pointed out in the *Resolution of the Central Committee of the Communist Party of China on the Major Achievements and Historical Experience of the Party over the Past Century* that "in pace with the changing times and social progress, they have developed an increasingly strong desire for a better life and growing demands for democracy, rule of law, fair-

28. Xi Jinping, *Speech by Chinese President Xi Jinping at the Ceremony Commemorating the Bicentenary of the Birth of Karl Marx* (Beijing: People's Publishing House, 2018), 8.

29. Sun Min, *Marxist Elements and Their Contemporary Significance* (Beijing: People's Publishing House, 2016), 222.

30. Central Compilation and Translation Bureau, *Karl Marx and Frederick Engels Collected Works, vol. 3* (Beijing: People's Publishing House, 2009), 435.

ness, justice, security, and a better environment.” Faced with the issues of imbalanced and insufficient development, especially for vulnerable groups, China urgently needs to create a high-quality, high-standard, and high-level barrier-free living environment for the vast majority of people. This aims to not only meet the basic needs of survival and development but also drive the people towards realizing their rights and demands for a high-quality and beautiful life.

In the context of a high-quality and beautiful life, a barrier-free environment should emphasize the dignity and value in individual development. From the perspective of Marxist human rights, humans, as social beings, can only manifest their dignity and value through conscious, transformative, objectifying activities and need external social relations to prove it. Brad R. Roth, an American professor of law and political science, also argues that one of the focal points of the contemporary human rights movement is the revival of Marxism, because the core of the human rights movement is to seek conditions that create a dignified existence for humanity.³¹ The United Nations *Universal Declaration of Human Rights* states, “Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.” Members of society should not only possess the conditions to participate in society but also can transform society, becoming individuals with dignity and value. This aspect involves contributing to societal progress and enhancing a sense of participation, mission, and accomplishment. Due to its intrinsic feature of being “accessible and usable for everyone,” a barrier-free environment can serve as a material medium for reshaping social relations for marginalized groups and connecting them with mainstream society. It also functions as a spiritual bridge, fostering equal dignity and the intrinsic value of life among all members of society.

In the pursuit of a high-quality and fulfilling life, a barrier-free environment should ensure the diversity and richness of individual participation in social life. Marxist scholar Georg Lohmann argues that specific human rights should guarantee that each individual can participate in various domains of social, cultural, and economic life.³² Regarding the subjects of participation, the participating population should include every citizen in society. In terms of the avenues for participation, whether through real-time social interaction practices or the network-based participation brought by time and space expansion, society needs to provide the material conditions and institutional safeguards for involvement. The barrier-free environment not only facilitates physical mobility, helping those with mobility challenges to step out of their homes and embrace society, but also serves the borderless and timeless information accessibility requirements of the current information society. It is a crucial catalyst for promoting the participation of the entire population in social, cultural, political, and

31. Jiang Haibo, *The Critique and Introspection on Democracy of Capitalism* (Beijing: China Renmin University Press, 2021), 188.

32. Georg Lohmann, *On Human Rights*, translated by Li Hongyun and Zhou Aimin (Shanghai: Shanghai People's Publishing House, 2018), 75.

economic life. Currently, beyond basic guarantees, a barrier-free environment must comprehensively address high-quality and diversified needs in areas such as tourism, entertainment, healthcare, and well-being. It should create more accessible and convenient application scenarios, enabling all members of society to lead more wonderful lives.

In the pursuit of a high-quality and beautiful life, the establishment of a robust barrier-free environment is crucial to advancing common prosperity among all members of society. General Secretary Xi Jinping has pointed out that Chinese modernization “is the modernization of common prosperity for all.”³³ Therefore, it is essential to implement the people-centered philosophy of development and ensure that the benefits of barrier-free development are shared by the people so that it can be distinguished from the Western notion of “universal” and “democratic” human rights, and firmly pave the way for the common prosperity of all people through “equal rights movement” driven by struggles and advocacy. On the one hand, the common prosperity of the material environment must be realized by seamlessly integrating a barrier-free environment into every corner of public spaces. Although barrier-free infrastructure is not scarce in China, there is still a scarcity of high-quality facilities that truly benefit the people and provide convenience and protection for daily life. As an integral part of the basic public service system, a barrier-free environment aligns with the common interests of all people. This underscores that, in the modernization path toward common prosperity for all, we should follow the human rights models that “endeavor to maintain and promote social fairness and justice”³⁴ under the Marxist perspective of the people as the mainstay. It is crucial not to let high-quality barrier-free facilities become scarce and lacking resources.

On the other hand, we also need to promote the common prosperity of people’s spiritual life by accelerating the pace of information accessibility to enrich the people’s inner world. Marx and Engels once pointed out the idea of developing all of one’s abilities comprehensively, including the capacity for thought.³⁵ In the contemporary world, the rapid development of information technology and continuous technological revolutions demand that the utilization, access, sharing, and openness of information should also benefit individuals with different types of physical abilities in society. Therefore, the construction of a barrier-free environment for information aligns with the trends of informatization, digitization, and intelligentization, contributing to the advancement of people’s ideological awareness and the elevation of thinking levels. It also aligns with the expectations for a high-quality life of comprehensive development and shared prosperity for the people.

In a high-quality and beautiful life, a barrier-free environment needs to embody both high quality and attention to small details. Marx believed that tools, machines,

33. Xi Jinping, *Hold High the Great Banner of Socialism with Chinese Characteristics and Strive in Unity to Build a Modern Socialist Country in All Respects — Report to the 20th National Congress of the Communist Party of China* (Beijing: People’s Publishing House, 2022), 22.

34. *Ibid.*

35. Central Compilation and Translation Bureau, *Karl Marx and Frederick Engels Collected Works, vol. 3* (Beijing: People’s Publishing House, 1960), 330.

and technology were not only intermediaries in the construction of connections between the subject, human, and the object, nature, but also extensions of human “arms and legs, head and hands.” Consequently, tools become the “organ of activity” for humans, and by extending “a man’s own limbs,” the individual gains the ability to “use these objects as means of exerting force.”³⁶ If we consider accessibility as static tools and machines, then disabled individuals, among other disadvantaged groups, in relation to accessibility, are akin to “workers using tools as organs.”³⁷ High-quality barrier-free facilities are like additional and sophisticated “organs” in the human body. A barrier-free environment, much like “machines replacing workers with skills and power,”³⁸ provides people with the ability to survive and thrive. Poorly designed barrier-free facilities are like damaged organs; they cannot enhance people’s quality of life and may even create “secondary barriers” or “multiple barriers” for individuals with disabilities. Therefore, in China, the construction of a barrier-free environment should focus on ensuring quality, paying attention to details, and prioritizing practicality. This includes, but is not limited to, improving curb ramps at pedestrian intersections to be smoother with “zero height difference,” promoting more prominent, Clearer, and more understandable signage in public places, and achieving age-friendly and user-friendly accessible toilets. These high-quality and detailed engineering projects not only require reasonable cost investment but also cater to practical and aesthetic needs. For individuals with mobility challenges, a high-quality barrier-free environment serves as an essential extension of their necessary “organs.” For the broader population, it offers greater assistance and protection. If future society can realize Engels’ vision of enabling every member of society to develop and utilize their full talents and powers freely,³⁹ then the “whole population” in society will inevitably require the “full coverage” of the “full elements” of a barrier-free environment.

In conclusion, the goal of the construction of a barrier-free environment should be to continuously improve and further ensure the development rights of vulnerable groups through the enhancement of the barrier-free environment. Marx emphasized that, in the future, “we shall have an association, in which the free development of each is the condition for the free development of all.”⁴⁰ The notion of “each” implies all members of society, regardless of whether they belong to advantaged or disadvantaged groups. For individuals with disabilities, the elderly with impairments, pregnant women, children, and those temporarily ill or injured, a barrier-free environment is a necessary means to ensure their safety. For the able-bodied population, a barrier-free environment serves as a helpful tool. Therefore, the construction of a barrier-free environment possesses distinctive and sustainable characteristics. While the initiative

36. Central Compilation and Translation Bureau, *Works of Marx and Engels*, vol. 5 (Beijing: People’s Publishing House, 2009), 208-209.

37. Central Compilation and Translation Bureau, *Works of Marx and Engels*, vol. 8 (Beijing: People’s Publishing House, 2009), 185.

38. *Ibid.*, 185.

39. Karl Marx and Frederick Engels, *Manifesto of the Communist Party* (Beijing: People’s Publishing House, 2018), 69.

40. Central Compilation and Translation Bureau, *Works of Marx and Engels*, vol. 2 (Beijing: People’s Publishing House, 2009), 53.

originated from the concern for vulnerable and minority groups, the generated social welfare benefits can reciprocally benefit the majority, ultimately allowing the fruits of development to reach all members of society.

It can be seen that from the perspective of the Marxist human rights concept, the construction and improvement of a high-quality barrier-free environment are not only conducive to the comprehensive improvement and transformation of living environments and urban spaces but also contribute to ensuring that the benefits of development reach more people in a fair manner. This effort can create the necessary conditions to meet the right to a high-quality and good life for all individuals. From the material environment for free survival and development to a convenient, comfortable, high-quality, diverse, and sustainable living environment, the ultimate goal of the development of the barrier-free environment is to enable all people to enjoy the benefits created by everyone.⁴¹

III. Institutional Advantages of Human Rights Protection in the Barrier-Free Environment: Comprehensive Promotion of Legal Safeguards

A. Respecting the people as the subject: advancing the improvement and innovation of barrier-free legal construction

The foundation of human rights lies in legal rights, and their establishment and protection require the enactment and safeguarding of laws.⁴² General Secretary Xi Jinping has pointed out that the country must safeguard human rights in accordance with the law. “The rule of law is the most effective guarantee for human rights ... We have protected citizens’ economic, cultural, social, environmental, and other rights. With these efforts, the legal protections for human rights have consistently become stronger.”⁴³ This requires that the transformation and development of a barrier-free environment must be comprehensively integrated into the rule of law, fully reflecting the normative, guiding, and punitive functions of the legal system, ensuring the long-term, healthy, and sustainable operation of the construction of a barrier-free environment. General Secretary Xi Jinping highlighted the promotion of the rule of law of social security. He states, “To advance the healthy development of social security on a legal footing, we should bolster related work in all aspects of legislation, law enforcement, judicial practice, and observance of the law.”⁴⁴ With the continuous improvement of China’s social security system since the launch of reform and opening-up, the quality of the barrier-free environment has been significantly strengthened, and the legal concepts related to the construction of a barrier-free environment have become increasingly mature.

The legislative process is a crucial means by which for the transition of human

41. Gerald A. Cohen, *Between Marx and Nozick*, 689.

42. Georg Lohmann, *On Human Rights*, 4.

43. Xi Jinping, “Steadfastly Following the Chinese Path to Promote Further Progress in Human Rights,” *Qiushi Journal* 12 (2022).

44. Xi Jinping, “Advancing High-Quality and Sustainable Development of China’s Social Security Programs,” *Qiushi Journal* 8 (2022).

rights transition from moral rights to legal rights.⁴⁵ In terms of legislation, China has gradually accumulated experience from scratch over the past thirty years and has developed a unified and multi-level human rights legislative framework for a barrier-free environment. In 1989, China promulgated the *Design Standards of Urban Roads and Buildings for the Convenience of Persons with Disabilities (Trial)*, which served as China's first accessibility design standard. This document innovatively introduced guidance for making urban roads and buildings convenient for the disabled, laying a solid institutional foundation for the construction of a barrier-free environment in urban development and spatial planning. In 1990, the *Law on the Protection of Disabled Persons of the People's Republic of China* was enacted, and its seventh chapter on the "Environment" stipulated the gradual implementation of design specifications for urban roads and buildings convenient for the disabled, incorporating barrier-free measures into the legal framework for the first time in China. After a revision in 2008, the seventh chapter was renamed "Barrier-Free Environment," emphasizing the creation of "a barrier-free environment for disabled persons' equal participation in the social life," fully embodying the fundamental concept of safeguarding the right to development of disabled persons through a barrier-free environment.

As China's economy and society have developed, and historical conditions have evolved, the barrier-free concept has significantly enriched its connotations and extensions. This is prominently reflected in the increasing coverage of the population by a barrier-free environment, the improvement of human rights protection through a barrier-free environment, and the elevated status of the people as subjects in the construction of a barrier-free environment. On the one hand, China is more consciously avoiding a corresponding relationship between "barrier-free" and "disabled," preventing the service recipients of the barrier-free environment from being limited to the category of disabled individuals. Since 2001, China has implemented the *Codes for Design on Accessibility of Urban Roads and Buildings* to replace the 1989 *Design Code for Urban Roads and Buildings Convenient for Disabled People's Use (Trial)*. The new design code eliminates the restricted relationship between "accessible design" and "use by disabled people" and introduces the concepts of "overall layout of barrier-free facilities" and "incorporating the planning requirements of barrier-free facilities into planning and architectural design requirements." This move aims to standardize and universalize the specifications of the barrier-free environment. Since the implementation of the *Regulations on the Construction of Barrier-Free Environment* in 2012, the general provisions state that the purpose of creating a barrier-free environment is "ensuring that disabled persons and other members of society can equally participate in social life." This establishes a more precise and enriched correspondence between the "barrier-free environment" and all "members of society," indicating the essence and content of the barrier-free environment more clearly.

On the other hand, in the legislative process, China continues to explore and extend the beneficiaries and scope of the barrier-free environment. In terms of beneficiaries, in addition to people with disabilities, the elderly are explicitly mentioned

45. Gerald A. Cohen, *Between Marx and Nozick*, 82.

as a core group in need of protection by the barrier-free environment in Chinese law. Since 1996, the *Law on the Protection of the Rights and Interests of the Elderly of the People's Republic of China* has been in effect. Although the term “barrier-free” is not directly mentioned, it stipulates that “the construction and reconstruction of public facilities, residential areas, and houses should, according to special requirements of the aged, include the construction of supporting facilities suitable for lives and activities of the aged.” This, to some extent, reflects the early objective requirements of the barrier-free concept for safeguarding the rights and interests of the elderly. With societal progress, this law has explicitly mentioned “barrier-free” six times in the sixth chapter, “Livability Environment,” added after the third revision in 2018. It emphasizes that governments at all levels and relevant departments should prioritize the renovation of public service facilities closely related to the daily lives of the elderly in accordance with the national standards for the construction of barrier-free facilities. This indicates that the barrier-free environment will become a crucial aspect in the aging transformation and upgrade across various sectors in China. Regarding the scope of implementation, in 2015, China introduced the *Guiding Opinions on Strengthening the Construction of Barrier-Free Environment in Villages and Towns*, demonstrating China's planning vision for extending its barrier-free environment construction gradually from urban spaces to villages and towns. This is conducive to promoting the balanced development of the barrier-free environment in both urban and rural areas.⁴⁶

In terms of law enforcement, judiciary, and compliance, in recent years, China has gradually formed a collaborative effort around multiple departments across multiple sectors, aiming to improve the construction of a barrier-free environment and enhance the level of human rights protection through strict law enforcement, fair justice, and universal compliance. Law enforcement in various regions focuses on eliminating urban safety hazards and investigating violations in the barrier-free field, mainly carried out by urban management law enforcement departments, in coordination with various special actions for the construction of a barrier-free environment, effectively improving its quality. In the judicial process, since 2021, the Supreme People's Procuratorate, starting from the people's needs, has vigorously promoted the scope of public interest litigation cases related to the barrier-free environment, incorporating “barrier-free service” as an important dimension in the consideration of constructing a barrier-free environment. This new field of public interest litigation not only serves the rights protection of special groups but also upholds the basic rights of equal participation in social life for special groups such as people with disabilities, the elderly, children, and pregnant women.⁴⁷ Meanwhile, multiple departments jointly issued *Opinions on Deepening the Study and Implementation of Xi Jinping Thought on the Rule of Law and Strengthening the Judicial Protection of Persons with Disabilities*. It requires that the facilities in litigation-related venues comply with the *General Codes*

46. Ling Kang, *Report on the Development of Accessible Environment in China (2021)* (Beijing: Social Sciences Academic Press, 2022), 33.

47. “Supreme People's Procuratorate Releases Typical Cases of Public Interest Litigation on the Construction of a Barrier-Free Environment,” the official website of the Supreme People's Procuratorate of the People's Republic of China, accessed October 15, 2022, https://www.spp.gov.cn/spp/xwfbh/wsfbh/202105/120210514_518136.shtml.

for Accessibility of Buildings and Municipal Engineering Projects so that barrier-free services can be integrated throughout the entire litigation process. This ensures that the people feel fairness and justice in the judicial process and experience the “unobstructed and caring” warmth of the judiciary.⁴⁸

“Insisting that development is for the people, reliant on the people and that its fruits should be shared by the people,”⁴⁹ is precisely the aim, goal, and vision of safeguarding human rights in the construction of a barrier-free environment in China since the 18th CPC National Congress. With the continuous improvement of legislative safeguards, the audience for the barrier-free environment has expanded from the relatively narrow group of people with disabilities to include the elderly and all individuals in need of accessibility. Ultimately, this development will benefit all members of society. However, the construction of a barrier-free environment in China still faces shortcomings and weaknesses, and the issues of imbalanced and insufficient development persist. Many individuals in need, such as people with disabilities and the elderly, have not yet genuinely experienced the outcomes of barrier-free development. The understanding and awareness of the concept and value of the barrier-free environment among all members of society still need to be deepened and strengthened. In addition to accelerating the formulation of standards, guidelines, and pilot demonstration projects for a barrier-free environment, it is necessary to explore the establishment of specific laws comprehensively addressing the barrier-free requirements.⁵⁰ In terms of law enforcement, judiciary, and compliance, efforts should be made to strengthen the penalties for non-compliant construction practices, rigorously implement supervision and punishment, and prevent losses to public property caused by rework, repairs, additions, or alterations. In essence, China must continuously seek innovation in the legal construction of a barrier-free environment, and constantly advance the modernization of the governance system and capacity for a barrier-free environment. Only through these efforts can the barrier-free environment projects be more effectively empowered to fulfill their crucial mission of safeguarding human rights.

B. Promoting common values: setting a model and leading the way to achieve international barrier-free standards

In the contemporary era, the importance of constructing a barrier-free environment has become a universal international consensus. Taking on the shared responsibility of promoting accessibility has increasingly gained widespread support from the international community. Focusing on the international stage, especially in comparison to the developed countries’ efforts in the construction of a barrier-free environment, China should strive to align with international legal standards, compete in conceptual frameworks, provide outstanding exemplary cases, and lead in achievements, so as to

48. Lin Nante, “Barrier-Free Litigation Services Showcase Judicial Warmth,” *Legal System Daily*, March 16, 2022.

49. Xi Jinping, *Understanding the New Development Stage, Applying the New Development Philosophy, and Creating a New Development Dynamic* (Beijing: Central Party Literature Press, 2021), 18.

50. Li Jianfei, “Promoting the Legislative Process of Barrier Free Environment Construction in China,” *Disability Research* S1 (2022).

form a unique Chinese-style modernization path in the construction of a barrier-free environment and contribute China's designs, solutions, and wisdom in this sector to the global community.

Overall, among the regions that have established legal protection for a barrier-free environment, the research and practices in the United States are in a globally leading position. Since the 1960s, the United States has enacted numerous standards and laws, demonstrating the legislative philosophy of promoting the participation of people with disabilities in social activities and safeguarding their human rights. In 1961, the United States established the world's first barrier-free standard, titled American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped. In 1968, the United States passed the *Architectural Barriers Act* (ABA), aiming to ensure equal participation of people with disabilities in social life and provide legal protection for their basic rights. The *Americans with Disabilities Act* of 1990 (ADA), which became effective in 1990, expanded the rights protection for people with disabilities in areas such as accessing social services and facilities, entering public places, and obtaining employment opportunities. Since then, the concept of a barrier-free environment has gradually been more widely accepted in society.⁵¹

The barrier-free design philosophy permeating through building legislation is also an early consensus reached by various European countries. In 1967, the United Kingdom issued standards for the access of disabled people to buildings, titled British Standard Code of Practice: Access for the Disabled of Buildings. Sweden took a groundbreaking step in 1975 by introducing barrier-free standards into its building law, mandating requirements for wheelchair access and elevator installations. Around the same time, Denmark's revised *Housing Law* in 1977 and France's *Residential Building Law* enacted in 1981 both took wheelchair accessibility into consideration. In 2005, France promulgated the more detailed *On the Rights and Equal Opportunities, Participation, and Citizenship of Persons with Disabilities Act*, stipulating that everyone must have access to barrier-free transportation and architecture environments, reflecting a high level of attention to the concept of barrier-free environment.⁵² Germany has also legislated to ensure that buildings or other public facilities must be designed to ensure that people with disabilities can use them independently and without difficulty, without the need for assistance.⁵³

Japan, due to a rapidly aging population, urgently needs policies that adapt living environment facilities and residential construction standards. The *Caring Building Act* enacted in 1994 and the *Housing Design Standards Adapted to an Aging Society* published in 1995 in Japan contain specifications and specific implementation requirements for barrier-free design.⁵⁴ The deliberation report on the *Caring Building Act*

51. Xi Congqing and Lin Qinghe, *Social Work for Disabled People* (Hangzhou: Zhejiang University Press, 2013), 325.

52. Pan Haixiao and Jean-François Doulet, *Ville, handicap et accessibilité*, 103-104.

53. J. W. Fisher, *Design Manual Accessible Architecture*, 19.

54. "Japan's Multiple Policies and Standards Facilitate the Development of High-Quality Barrier-Free Environment," the official website of Institute of Accessibility Development, Tsinghua University, accessed November 3, 2022, <http://www.adi.tsinghua.edu.cn/iufb/ijyd/20291>.

points out that the concept of architecture should shift from the past focus on economic activities and adults to creating an environment suitable for everyone, including the elderly and infants. Therefore, in Japan, not only is each building required to undergo inspection by relevant authorities upon completion to determine its compliance with barrier-free designs for disabled and elderly individuals, but some public facilities also need to implement different levels of barrier-free design schemes based on the size of the building area.

To summarize, in the global development process of the barrier-free environment, the United States focuses more on the legal establishment to protect the human rights of people with disabilities, Europe emphasizes standards and regulations for accessible architectural facilities, and Japan addresses the needs of the elderly and disabled due to its aging population. Regardless of the specific purposes and emphases, the development processes of the barrier-free environment in these more developed regions provide valuable practical experiences that China should actively learn from, absorb, and reference.

However, to this day, Western societies still resort to forms such as gatherings, marches, and demonstrations to carry out disability rights movements to fight for the rights of vulnerable groups. The *Americans with Disabilities Act* was passed following the struggles of hundreds of disabled individuals climbing “83 steps.” Especially in recent years, Western societies have shown little innovation in both the development concepts of their barrier-free environments and the forms of barrier-free architecture. General Secretary Xi Jinping has pointed out that, to propel a country to achieve modernization, there is not only the Western institutional model as the sole path, and each country can chart its own course.⁵⁵ Therefore, correspondingly, China should, while drawing on beneficial achievements from abroad, strive to explore a legal construction path for a barrier-free environment with distinctive Chinese characteristics. It should insist on taking the realization of people’s aspirations for a good life as the starting point and foothold for the modernization of a barrier-free environment. China should explore the construction approach for a barrier-free environment under the Chinese modernization.

First, China needs to align its legal framework for the construction of a barrier-free environment with the international community, especially by enacting specific laws in the legislative domain. On June 28, 2023, the Standing Committee of the National People’s Congress passed the *Barrier-Free Environment Creation Law of the People’s Republic of China*, which came into effect on September 1, 2023. This is a significant step in China’s commitment to respecting and safeguarding human rights and an important measure for aligning its legal framework for a barrier-free environment with developed countries. Second, China needs to deepen the development philosophy of a barrier-free environment by surpassing conventional ideas with creative and contemporary approaches. The barrier-free environment is not a “privilege” for people with disabilities but an “equal right” for all individuals with specific needs.

55. Xi Jinping, *Compilation of Xi Jinping’s Remarks on Socialist Political Construction* (Beijing: Central Party Literature Press, 2017), 7.

Hence, this law states in its general principles that the purpose of constructing a barrier-free environment is “supporting persons with disabilities and elderly persons in equally, fully, and easily participating in and being included in public life, promoting the sharing of economic and social development by all members of society.” Additionally, it expands the beneficiaries of a barrier-free environment to “members of society with barrier-free needs.” This indicates that China’s concern for a barrier-free environment is not limited to people with disabilities but extends to all members of society. Third, China needs to create more high-quality demonstration cities and exemplary cases of barrier-free construction to showcase and lead the trend of barrier-free development. Although China’s barrier-free environment development started relatively late, the starting point is high, especially in recent years, the progress has been rapid. Many first-tier cities are approaching or even surpassing the momentum of developed countries. A batch of outstanding cases that meet or even exceed international first-class standards has emerged. Examples include the barrier-free environment improvement projects for the Beijing 2022 Winter Olympics and Paralympics, the barrier-free design at Beijing Daxing International Airport, the construction of the Xiong’an Station on the new Beijing-Xiong’an Intercity Railway, the barrier-free environment renovation project in Hangzhou’s Hubin pedestrian street area, and the barrier-free special planning at Tsinghua University.⁵⁶ These barrier-free special construction projects, which involve significant public facilities, information accessibility, and the transformation of living environments, go beyond traditional barrier-free building facilities. They serve as new industry benchmarks in areas such as institutional mechanisms, facility construction, information exchange, and social services.

The barrier-free environment is a shared concept and value advocated by countries worldwide, and it is an organic component of the new form of human civilization. In view of this, by continuously improving the legal foundation of the construction of a barrier-free environment in our country, we can not only demonstrate the Chinese characteristics of the construction of a barrier-free environment in the new era but also join hands with the international community to consolidate the international human rights consensus in a barrier-free environment. These efforts will promote the construction of an inclusive and barrier-free community where everyone takes responsibility, everyone fulfills their duties, and everyone shares the benefits.

IV. Conclusion

Human rights scholar Paul O’Connell points out that globally, there are millions of people using “human rights discourse to promote and defend their interests.”⁵⁷ However, setting aside the localized interests of beneficiaries, the construction of a barrier-free environment represents an “equal rights movement” driven by the voices of a minority of disabled individuals to defend the interests of all people, including those without disabilities. In a certain sense, this movement goes beyond the Western democratic human rights movements that primarily focus on individuals and mi-

56. Liu Xinfeng, *Outstanding Exemplary Case Collection of the Construction of a Barrier-Free Environment (2021)* (Beijing: China Architecture & Building Press, 2021), 6-15.

57. Paul O’Connell, “Human Rights and Marxist Tradition,” *Human Rights* 4 (2021): 163.

nority groups defending their interests. Once the barrier-free environment becomes a fundamental aspect of the social environment and a collective right of the people, individuals will increasingly realize the benefits that a shared value of the barrier-free environment brings to different groups.⁵⁸ Through the expansion of collective rights, it can provide greater protection for relatively vulnerable minority groups, thereby constructing a broader barrier-free societal community based on justice and equality.⁵⁹

It is evident that only by carrying out the construction of a barrier-free environment under the guidance of the Marxist human rights concept can we pursue development that truly benefits human nature and needs and create a social cause “of the immense majority, in the interest of the immense majority.”⁶⁰ Ultimately, it will become a human rights movement that transcends not only racial, gender, and sexual orientation disparities but also disabilities, benefiting a broader spectrum of society.⁶¹ The original intention and starting point of the construction of a barrier-free environment were to safeguard the rights of the disabled population who find themselves in disadvantaged and unfavorable positions in society. However, as the notion of a barrier-free environment becomes more widespread and mature, it is bound to break down the boundaries between minority and majority groups. The evolution of the barrier-free environment from safeguarding the rights of a specific minority to protecting the rights of the general majority is evident. Conducting a theoretical analysis of the relationship between the construction of a barrier-free environment and human rights, enriching the theoretical connections between the two, is essential because the barrier-free environment serves as a necessary condition for safeguarding the freedom and all-around development of disabled individuals and also plays a crucial role in promoting the participation of disabled individuals in societal development. More importantly, it provides convenient conditions for the entire population to engage in social life.

The key to promoting the construction of a barrier-free environment lies in the fact that the subject of this endeavor is the entire population. As a form of equal opportunity, the barrier-free environment should not only serve as a social welfare measure but also function as a social safeguard. As a manifestation of actual equality, the barrier-free environment needs to be incorporated into China’s human rights development path, which is both people-centered and inclusive, forming a human rights model for the construction of a barrier-free environment. This not only represents the fundamental purpose of promoting the barrier-free concept and carrying out the construction of a barrier-free environment in China but also signifies the elevation of the barrier-free environment from being a basic component of people’s well-being to a value-driven construction, fully highlighting China’s people-centered philosophy of development.

58. Juliet C. Rothman, *Social Work Practice Across Disability*, translated by Zeng Shouchui and Zhang Kun, (Shanghai: East China University of Science and Technology Press, 2013), 60.

59. Zou Guangwen, “Practically Promote the Great Practice of a Good Life for Persons with Disabilities,” *Disability Research* 4 (2018): 47.

60. Michael Oliver, “The Social Model of Disability: Thirty Years On,” 42.

61. Jiang Haibo, *The Critique and Introspection on Democracy of Capitalism* (Beijing: China Renmin University Press, 2021), 205.

In the future, the construction of a barrier-free environment in China will garner increased attention and importance from various sectors of society. Innovative examples in this sector will integrate more interdisciplinary approaches, and the core force behind barrier-free construction will shift from being disability-centered to embodying the development characteristic of “integration of disabled and non-disabled.” Everyone involved in the construction and development of a barrier-free environment, within the perspective of Marxist historical materialism, is not only a “dramatist” but also simultaneously a “character in the play.” This means that individuals, while promoting collective interests, will also become lifelong beneficiaries of the barrier-free environment eventually.

(Translated by *LI Donglin*)