

**SKILL: NATIONAL BUREAU FOR STUDENTS WITH DISABILITIES**

**THE WALTER LESSING MEMORIAL LECTURE**

**"EDUCATION FOR CITIZENSHIP: ISSUES FOR FURTHER  
EDUCATION"**

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## **DISABILITY AND CITIZENSHIP: SOME ISSUES FOR EDUCATION**

The notion of citizenship has become fashionable once again and has become a shorthand device for talking about the relationship between individuals and their societies. Why we should rediscover citizenship at the end of the twentieth century is an interesting question in itself but not one for consideration here. Instead I shall consider what this rediscovery means for disabled people in general and, in particular, what implications it might have for our education system in general, and the post-school sector in particular.

While politicians, policy makers and educators have rediscovered the notion of citizenship, disabled people have begun to redefine disability not as personal tragedy requiring therapy but as collective oppression requiring political action. Thus, for the former group, the history of citizenship can be seen as the achievement of certain political, social and civil rights for everyone. For the latter, disability is nothing less than the denial of basic human rights to certain groups within society.

Until recently, there was general consensus that, except for a few unfortunate minority groups or individuals, that British citizenship meant for the vast majority of British citizens the achievement of these rights. However the 1980's saw the fracturing of the cosy post-war political and social consensus to the point where people of all political persuasions are seeking to reclaim the idea of citizenship.

Lister (1991) has recently pointed out that we are in danger of entering the twenty first century with a growing number of people being excluded from the full enjoyment of the rights of citizenship. She goes on to argue that

"..it is time to go on the offensive and restate the case for effective citizenship rights for all, regardless of class, race, gender, age, disability or employment status".

(Lister 1991.2)

The acceptance of the fact that not all groups are accorded the full rights of citizenship is, at the end of the day, accepting that particular groups are denied their basic human rights. Hence the two key themes of this paper; disability is a human rights issue and to be disabled in Britain today is to be denied the rights of citizenship. The reality of the denial is easy to demonstrate for there is ample evidence following the framework

let out by T H Marshall in his influential work on citizenship; as the gradual extension of political, social and then civil rights to individuals.

### Disability as the denial of citizenship

It is commonly assumed that universal suffrage in Britain has been achieved but it has recently been shown that many disabled people are denied the opportunity to exercise their political choice through the ballot box. Some disabled people do not enjoy this right because they do not appear on the electoral register for a whole variety of reasons. Others who do appear are denied the opportunity to exercise political choice because of problems of access; access to polling stations themselves, access to transport to take people there or access to information to make an informed choice.

The existence of postal and proxy voting systems do not resolve these problems for the machinery of obtaining access to these systems is complex and confusing. In addition it entails voting before polling day and hence making decisions before everyone else and before campaigning is completed.

There are a number of other ways in which disabled people find it difficult to participate in the political process, not solely concerned with voting. To begin with, many local political parties hold their meetings in accessible premises and hence join a political party is often not without difficulty. Even if this is overcome, campaigning is difficult for oneself or on behalf of others, because of difficulties in the physical environment. Hence there are very few disabled people who are active at the party political level either within local or central government.

Thus it can be argued that party politics have failed disabled people. Serious enough in itself, but further, it has been suggested that they have been inadequately supported by voluntary organisations and single issue pressure groups purporting to act on their behalf. This failure has led disabled people to form their own representative organisations, to which I shall return later.

In talking about social rights to citizenship, Marshall's own definition is an appropriate yardstick to consider whether disabled people can claim to be social citizens.

"By the social element I mean the whole range from the right to a modicum of economic welfare and

security to the right to share to the full in the social heritage and to live the life of a civilised being, according to the standard prevailing in the society"

(Marshall 1952.11)

Hence there are a number of elements to Marshall's notion of social citizenship; notably the right not to be poor or live in fear of poverty, to use social facilities in the same way as everyone else and to have a standard of living or lifestyle compatible with current social expectations.

In none of these elements can it be argued that disabled people share the rights to social citizenship. In terms of poverty, the Government's own figures show over 4 million disabled people being reliant on social security benefits and hence living below the official poverty line. Further it has been suggested that these figures substantially underestimate the nature and extent of poverty amongst disabled people. Hence, when freedom from the fear of poverty is considered to be an element of social citizenship, then very few disabled people would be in this position.

On top of this, social rights to use the same facilities as everyone else are not accorded to disabled people, whether these be rights to move around the built environment, to travel on transport systems which claim to be public or to have access to public information of all kinds.

Finally, in many areas of their lives, disabled peoples' experiences do not accord with the lifestyle expectations of their contemporaries. For example, many disabled adults do not have the right to decide what time to get up or go to bed, or indeed who to go to bed with, when or what to eat, how often to bath or even be in control of the times when they empty their bladders or open their bowels.

For Marshall, civil rights went beyond a narrow conception of legal rights and included not only property rights and the right of contract but also rights to the freedoms of thought and speech, religious practice, and of assembly and association. In theory, disabled people are accorded these basic civil rights although in things like the right of contract, they may experience severe difficulties; in buying goods on hire purchase, taking out a mortgage or obtaining life insurance for example.

In the narrower area of legal rights, there are a number of ways in which disabled people are disadvantaged. Where they do have legal rights, as in the Disabled Persons (Employment) Act 1944, these are usually not enforced. Hence despite the fact that over 70% of firms do not meet their

legal obligations under this Act, there have only been ten prosecutions since 1944. Equally pertinently, it has recently been shown that more than 70% of local education authorities are in breach of their statutory duties in respect of statementing under the Education Act 1981.

In other areas, legal regulation, usually through the operation of bye laws, are used to deny disabled people the right to use facilities that other people take for granted such as using the London underground or many cinemas. Finally, in some areas, disabled people are denied legal rights accorded to other groups. This occurs most notably in terms of legal rights not to be discriminated against, a right accorded to black people and women. Hence, despite the recommendation of a major report (CORAD 1982) and nine attempts to introduce anti-discrimination legislation, no such law has reached the statute books.

The evidence then, that disabled people are denied the full rights of citizenship is so overwhelming that it is not unreasonable to agree that this constitutes a denial to disabled people of their basic human rights. Given this evidence, it is perhaps not unreasonable to suppose that the current political fashion for talking about citizenship in general offers the opportunity to put disability rights onto the political agenda.

#### Citizens' Charters; Political Panaceas or Placebos?

The common response of all three political parties has been to produce citizens' charters; the Liberal Democrats promising civil rights to all through constitutional reform, the Labour Party promising citizenship through the meeting of individual needs and the Tories offering citizenship through the right to buy goods and services in the market place.

The problem with all these offerings as far as disabled people ..are concerned is that they are fed up with charters. From the Chronically Sick and Disabled Persons Act (1970) heralded as 'a charter for the disabled', through the false promises of the United Nations Declaration of the Human Rights of Disabled People and onto the integration charter which the Education Act (1981) was supposed to be; they have seen words on paper remain precisely that.

The current government's rediscovery of citizenship has involved the production of a range of charters specifying the rights that people can expect from public services. So far these have included an overall one, the Citizen's Charter, the Patient's Charter in respect of health and the Parent's Charter in respect of education. While these specify the basic

standards that people can expect, they are largely silent on how to achieve legal redress if authorities fail to meet these basic standards.

More specifically these charters scarcely mention disability or the citizenship rights of disabled people. As one disabled person has suggested, you may have rights as a business man whose train from Huntington is late, but what if you are a disabled person who can't get on the train in the first place or can only travel with the pigeons in the guard's van?

A central purpose of these charters is to empower people; to produce active citizens. But is that rhetoric or reality? Certainly this Government has explicitly turned way from this empowerment strategy as far as disabled people are concerned.

By its lack of commitment to the implementation of the Disabled Persons (1986) Act, its consistent refusal to instigate anti-discrimination legislation and its chronic underfunding of organisations controlled by disabled people, it has clearly shown not only that it does not recognise the citizenship rights of disabled people but that creating 'active' disabled people is not on the political agenda.

Fortunately, while empowerment may not figure on the Government's agenda, it has been on the agenda of disabled people themselves. The process of the collective empowerment of disabled people took off in the 1960's although blind people had begun to organise themselves decades earlier. While this process continued in the 1970's, it was the decade of the 1980's that has seen a transformation in our understandings of the nature of disability, and consequently the kinds of policies and services necessary to ensure the full economic and social integration of disabled people.

At the heart of this transformation has been the rise in the number of organisations controlled and run by disabled people themselves. At the beginning of the decade there were very few such organisations but by 1990 there was an international organisation known as Disabled Peoples International (DPI), a national co-ordinating body, the British Council of Organisations of disabled people (BCODP) had been formed, and its constituent organisations had risen to over eighty, most of whom were local coalitions of disabled people or centres for integrated living (CIL's).

This collective empowerment has raised other issues in respect of citizenship since all definitions consider duties and obligations as well as rights and entitlements.

"The law places on citizens a wide range of duties, including obedience to the criminal law and such civil laws as the laws of negligence and contract. whilst personal moral codes may differ, the law sets out a common code of conduct binding on all members of society".

(NCC 1990.8)

However, if empowered people are denied the entitlements as citizens, they may well refuse to accept their duties and obligations.

Historically we have seen examples of this with the American Civil Rights Movement and more recently disabled people in the United States have undertaken sit-ins to ensure the passage of anti-discrimination legislation onto the statute books. The disability movement in this country, as well as continuing to articulate its demands through formal political channels, has also participated in mass marches and rallies to protest about cuts in the benefits systems, held demonstrations against the presentation of charitable images of disability on television, and embarked upon campaigns of civil disobedience in protest against inaccessible public transport systems and the pedestrianisation of some inner city shopping areas.

So, what's all this got to do with education in general and post-compulsory education in particular?

Education for Citizenship?

The National Curriculum Council in its document quoted earlier, is unequivocal that the twin aims of education are to teach all children about the rights and responsibilities of citizenship.

"Education for citizenship embraces both responsibilities and rights in the present and preparation for citizenship in adult life. It helps pupils by supporting them as they develop from dependent children into independent young people. It is of paramount importance in a democratic society and in a world undergoing rapid change. No school in

England would deny its responsibility for educating pupils for citizenship."

(NCC 1990.1)

If one accepts this, and I do, then it logically follows from my previous analysis that our responsibilities as educators of disabled children, young people and adults are to ensure that they understand that to be disabled is to be denied citizenship. Failure to do this would be to deny our responsibilities as educators. Easy to say, but what does it mean in reality?

In keeping with the theme of this conference, accepting that disability is a human rights issue requires us to broaden our horizons in fundamental ways. To begin with, our current segregative practices and segregated provision, which continue to dominate special education have to be seen for what they are; the denial of rights to disabled people in just the same way as others are denied their rights in other parts of the world.

As I wrote in a review of a recent re-appraisal of special education.

"The lessons of history through the segregation of black people in the United States and current struggles to end segregation in South Africa have shown this to be so. To write as if segregation in schools, or from public transport systems or from public spaces or inter-personal interactions in our own society is somehow different, is to de-politicise the whole issue "

(Oliver 1991)

Educating disabled people for citizenship requires firstly, that we, as individuals, understand this; and secondly, that we, as educators, develop strategies to teach this those in our charge.

Clearly then, disability is a curriculum issue, not just narrowly in terms of access to it, as is usually supposed, but more importantly, in terms of content. Of course, you wouldn't know by looking at the National Curriculum, but if you don't think that disability as a human rights issue can be incorporated into your curriculum, I suggest that you look at the recent publication by a disabled teacher and a disabled parent, entitled Disability Equality in the Classroom: A Human Rights Issue (Reiser and Mason 1990).

Access to the curriculum is also important for its denial constitutes a denial of rights, but the issues here are more well known. Curriculum content needs to focus on two issues; the identification and removal of all disablist materials and practices and the development and generation of new materials and practices based upon non-disablist approaches to the issues.

Education for citizenship is also about the relationship of education to the economy. For too long education in all sectors has colluded with the demands of the labour market to keep disabled people out of the workforce. Most disabled children leave school thinking they are unemployable and immediately have this reinforced by social education centres and colleges of further education with their offers of 'further on' courses and 'independence training' .

All part of a collusion given respectability by the Warnock Report and its endorsement of 'significant living without work' . Even higher education, with its recent 'discovery' of the disabled student, is happy to keep disabled people out of the labour market for as long as the economic benefits accrue to them. No doubt many of you will think that this is a harsh indictment of a sector which has made significant progress since the formation of SKILL, albeit under a different name, nearly twenty years ago.

A human rights perspective on disability does not allow such a cosy judgement. To understand why this is so, it is necessary to go back to the Second World War. As able-bodied men were called up, the consequent labour shortages were solved by the recruitment of women and disabled people into all sectors of the economy. Between 1941 and 1945 426,000 disabled men and women - many of whom were classified as unemployable - were interviewed by officials from the labour exchanges. Of those 310,806 were placed in full-time employment.

Two historians, in a book to accompany a Channel 4 series on the history of disability to be transmitted in the Spring, comment thus.

"Disabled people were integrated into the workforce, working alongside the able-bodied. In some factories the hearing learned sign language to communicate with deaf workers. And more and more disabled people were given skilled and responsible jobs. In all around half a million disabled people were recruited into full time employment during the war. It was all part

of a new recognition of their economic importance at a time when their labour power was desperately needed" .

(Humphreys and Gordon 1992)

In the intervening period, the labour power of disabled people has not changed although the labour market's need of it obviously has. Hence, only a third of disabled people of working age are in employment. Of course, I fully realise that education cannot control the labour market overall, but it can and does collude with it and it fails to exercise its responsibilities in those parts of the labour market it does control.

It colludes by socialising disabled people into accepting a life without work and by failing to give disabled people the necessary skills to enter into the labour market in the first place. It fails to exercise its responsibilities by its employment practices; education as an employer is no better at employing disabled people than any other sector of the economy.

A human rights perspective on these issues does not mean that disabled people should have a right to a job; rather that disabled people should have an equal chance of unemployment as everyone else. This means giving disabled people the skills and values to compete in the labour market with everyone else and ensuring that the market, or that bit of the market over which control can be exerted, operates in such a way it does not discriminate against them. On both these accounts, education has failed disabled people.

## Conclusions

The Canadian philosopher and TV pundit Michael Ignatieff recently turned his attention to citizenship.

"The practice of citizenship is about ensuring everyone the entitlements necessary to the exercise of their liberty. and the history of citizenship has been the struggle to make freedom real, not to tie us all in the leading strings of (therapeutic) good intentions".

(Ignatieff 1989.72)

Up to now society has, whatever its intentions, failed to ensure the entitlements of citizenship to everyone. Education has colluded in this failure and it has been left to disabled people historically to engage in

the struggle for their own citizenship. I end with a question - the struggle to make freedom real for disabled people will continue; where does education stand in this process?

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