Inclusion and participation of persons with disabilities: The mandate of the Convention on the Rights of Persons with Disabilities and social realities in Germany

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perspective:  
the inclusive community

...a programmatic and strategic term that describes the process of creating conditions that enable (disabled) people to develop their way of life in the usual social institutions in the local communities
processes of change in German helping systems

- years 1946-1960
  - custodianship
  - extermination
  - separation/hospitalisation/ living in asylums and psychiatric hospitals
  - medical-curative idea of man

- years 1960–1990
  - aid/care
  - special institutions/ „de-hospitalisation“
  - pedagogical-optimistic idea of man

- from 1990 on
  - attendance/assistance
  - de-institutionalisation community based support
  - integrated-accepting idea of man
  - normalisation
  - self-determination
  - empowerment
  - integration
  - inclusion
  - participation
  - person-centred support

Convention on the Rights of Persons with Disabilities (UN-CRPD)

- concretises the Declaration of Human Rights;
- a contract about binding international law;
- in Germany: status as a national law;
- will be consulted in justice.

<table>
<thead>
<tr>
<th>Participant</th>
<th>Signature</th>
<th>Ratification</th>
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<tbody>
<tr>
<td>Germany</td>
<td>30 Mar 2007</td>
<td>24 Feb 2009</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>24 Sep 2008</td>
<td>25 Sep 2012</td>
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Convention on the Rights of Persons with Disabilities

duties to protect human rights

1. duty to respect
2. duty to protect
3. duty to fulfill
UN-CRPD, article 4

„2. With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources and … with a view to achieving progressively the full realization of these rights. “

„5. The provisions of the present Convention shall extend to all parts of federal states without any limitations or exceptions”. 
The understanding of disability in the UN-CRPD

Convention on the Rights of Persons with Disabilities
Preamble

“Recognizing that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others, …”

Конвенция о правах инвалидов
Преамбула

„признавая, что инвалидность — это эволюционирующее понятие и что инвалидность является результатом взаимодействия, которое происходит между имеющими нарушения здоровья людьми и отношенческими и средовыми барьерами и которое мешает их полному и эффективному участию в жизни общества наравне с другими, …“
...a look into the past: Vygotskij

„Certainly, all psychological characteristics of the handicapped child have as their basis a social, not a biological core“ (Vygotskij 1993, 82).

origin:

exclusion – integration - inclusion

persons without disabilities

persons with disabilities

integration through individual support

exclusion

integration

inclusion

individual problem

special need

discrimination

providers and institutions, city planning, house building and much more for all
3. Full and effective participation and inclusion in society;
полное и эффективное вовлечение и включение в общество;
4. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
уважение особенностей инвалидов и их принятие в качестве компонента людского многообразия и части человечества;
…
excursus – the “shady side” of inclusion: exclusion

German long-term study: “Group-focused enmity” - some results

[see URL: http://www.uni-bielefeld.de/%28en%29/ikg/projekte/GMF/index.htm]
so-called “group-focused enmity”

What’s it about?
… “The humanity of a society is revealed most clearly not by its talk shows or way the newspapers discuss moral and ethical questions, but in the way it treats its weakest groups”.

How do people with different social, religious and ethnic backgrounds pursue their different lifestyles in this society? How do they receive recognition? And where they are exposed to hostile mentalities?

[see URL: http://www.uni-bielefeld.de/%28en%29/ikg/projekte/GMF/index.htm]
elements of the so-called “group-focused enmity syndrome”

[see also URL: http://www.uni-bielefeld.de/%28en%29/ikg/projekte/GMF/index.htm]
example of one result of this study: prejudice against disabled people

- Prejudice against disabled people comprises hostile attitudes towards people with physical or mental characteristics that are regarded as deviating from the "norm." It includes the idea that these people get "too much" support.

- Overall, negativity towards disabled people is stable or slightly falling. In 2010 almost 9 percent regarded many of the demands of disabled people as "excessive"; in 2005 it was 15 percent. 7 percent of respondents in 2010 said that too much is done for disabled people in Germany (2005: 8 percent). 6 percent (2005: 7.5 percent) believe that disabled people receive too many benefits.

[see URL: http://www.uni-bielefeld.de/%28en%29/ikg/projekte/GMF/index.htm]
...but for all that: inclusion and participation

facilitating participation → creating inclusive structures
Starting-points of planning inclusive structures in the local area (participation planning)

- Overcoming barriers
- Development of decentralised/local services
- The "social/local area/space" 'addressability' of organisations
- Participation / new/other stakeholders
- Access to common services and facilities
example in Germany „the local index for Inclusion“

dimensions (cf., p. 37)
- our municipality as a place to life
- inclusive development in our organisation
- cooperation and networking in our municipality

...again Vygotskij:

„A defect is strengthened, nourished, and reinforced by its social consequences“  
(Vygotskij 1993, 92).

origin: