



Evangelische Hochschule
Darmstadt



University of Applied Sciences
eh-darmstadt.de

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

**Presentation at the II International Conference “Inclusive education:
practice, research, methodology” in the Moscow State University of
Psychology and Education; Moscow 26.-28. June 2013**

Prof. Dr. Erik Weber – Degree Course Integrative Heilpädagogik / Inclusive Education
e-Mail: e.weber@eh-darmstadt.de

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

years 1960 – 1990

from 1990 on

custodianship

aid/care

attendance/assistance

extermination

separation/hospitalisation/
living in asylums and
psychiatric hospitals

special institutions/
„de-hospitalisation“

de-institutionalisation
community based
support

medical-curative
idea of man

pedagogical-optimistic
idea of man

integrated-accepting
idea of man

normalisation

self-determination

empowerment

integration

inclusion

participation

UN-CRPD

person-centred support

based upon and modified according to
Fornefeld, Barbara (2008).
Menschen mit Komplexer Behinderung. Selbstverständnis
und Aufgaben der Behindertenpädagogik. München: Reinhardt.

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.

Participant	Signature	Ratification
Germany	30 Mar 2007	24 Feb 2009
Russian Federation	24 Sep 2008	25 Sep 2012

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

Orientation: inclusion as a **local** duty



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“.

Конвенция о правах инвалидов

Статья 4 - Общие обязательства

2. Что касается экономических, социальных и культурных прав, то каждое государство-участник обязуется принимать, максимально задействуя имеющиеся у него ресурсы, а в случае необходимости — прибегая к международному сотрудничеству, меры к постепенному достижению полной реализации этих прав без ущерба для тех сформулированных в настоящей Конвенции обязательств, которые являются непосредственно применимыми в соответствии с международным правом.
5. Положения настоящей Конвенции распространяются на все части федеративных государств без каких бы то ни было ограничений или изъятий.

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:

VYGOTSKY, Lev Semënovič (1993). The psychology and Pedagogy of Children's Handicaps. IN: VYGOTSKY; Lev Semënovič, The Fundamentals of Defectology. (Abnormal Psychology and Learning Disabilities) (76-93). New York: Plenum Press.

exclusion – integration - inclusion

persons without
disabilities

persons with
disabilities

exclusion
individual problem

integration through individual
support

integration
special need

providers **and** institutions, city
planning, house building and
much more for all

inclusion
discrimination

UN-CRPD (Article 3 - General principles)

Статья 3 - Общие принципы

...

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”

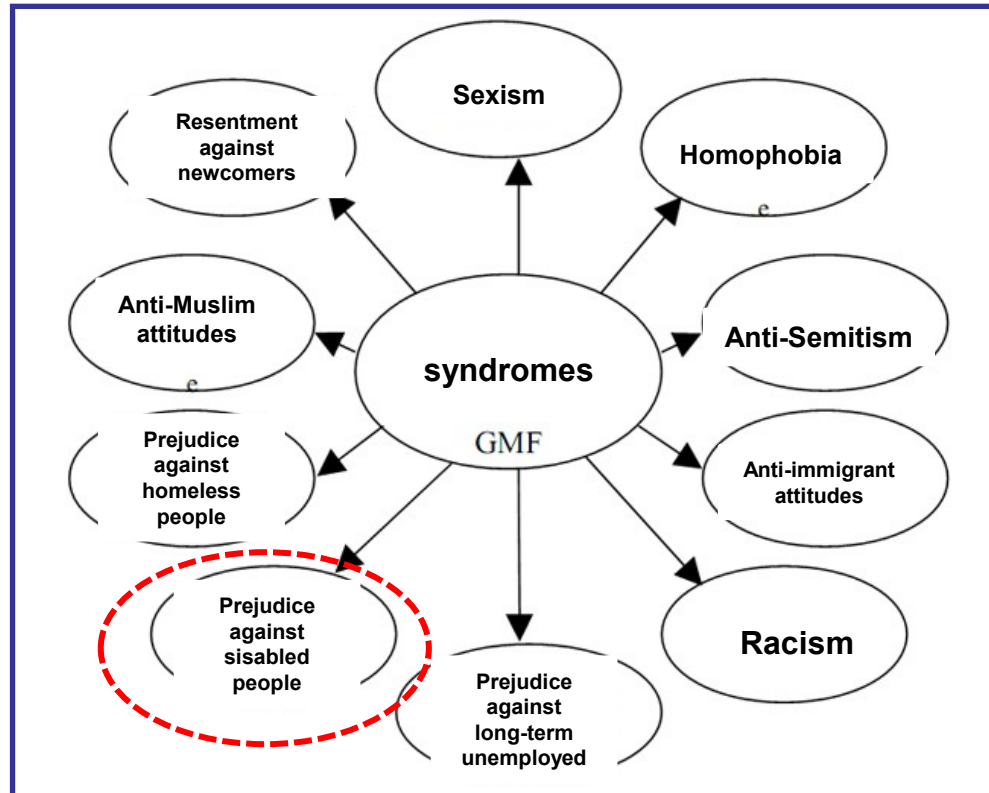
What’s it about?

... “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”



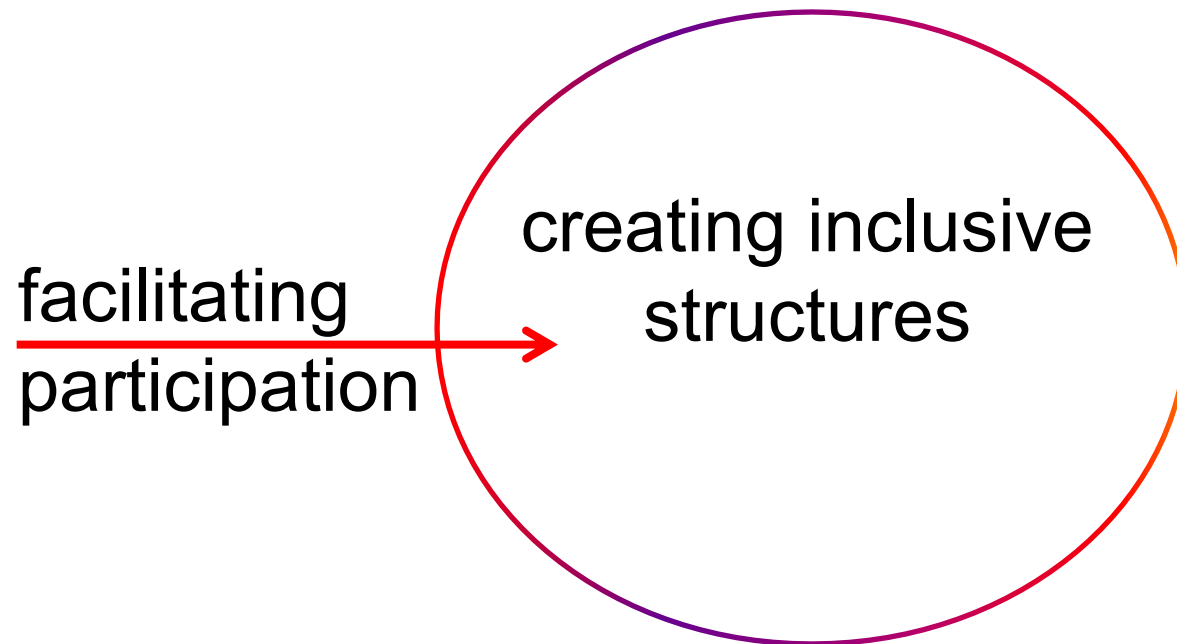
[see also URL: <http://www.uni-bielefeld.de/%28en%29/ikg/projekte/GMF/index.htm>]

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



☞ 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

cf. MontagStiftung Jugend und Gesellschaft (Hg.) (2011).
Inklusion vor Ort: Der Kommunale Index für Inklusion -
ein Praxishandbuch.

...again Vygotskij:

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

origin:

VYGOTSKY, Lev Semënovič (1993). The psychology and Pedagogy of Children's Handicaps. IN: VYGOTSKY; Lev Semënovič, The Fundamentals of Defectology. (Abnormal Psychology and Learning Disabilities) (76-93). New York: Plenum Press.