Societal Discrimination against Individuals with Special Needs: The Way Forward

By

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Abstract

Almost everyone may be temporarily or permanently impaired at some point in life, and those who survive to old age will experience increasing difficulties in functioning. Disability is therefore, part of the human condition and as such, no respecter of anybody. Beliefs about the causes of disabilities tend to condition discriminations against the special needs individual (SNI). People have reacted in different ways to disabling conditions; such reactions include: shame, prejudice, fear and exclusion from family or community life. Against this background, this paper takes a cursory look at societal discrimination against SNI with the view to ameliorating their conditions. In realisation of this, the paper discusses concept of special needs and/ or special education; the national baseline survey on persons with disabilities (PWDs) in Nigeria; situation analysis of PWDs in Nigeria; background to societal attitudes and discriminations towards PWDs culminating in the construction of a theoretical framework for understanding societal attitudes. Societal discriminations and attitudes on life domains towards the SNI, efforts made at improving the well-being of individuals with special needs and the psycho-strategic policies to reducing discriminations are altogether not left untreated in this discourse. Implications of policy levels for changing societal attitudes and track records and strengths of PWDs are equally and exhaustively explicated knowing fully that there is ability in disability. Finally, the paper draws conclusion and proffers array of recommendations which should be viewed as sacrosanct to provide the needed policy framework for discrimination reduction and attitudinal change towards individuals with special needs in Nigeria.

Introduction

Disability is part of the human condition. Almost everyone will be temporarily or permanently impaired at some point in life, and those who survive to old age will experience increasing difficulties in functioning. Most extended families have a disabled member, and many non-disabled people take responsibility for supporting and caring for their relatives and friends with disabilities (Ferguson, 2001; Mishra and Gupta, 2006). Every epoch has faced the moral and political issue of how best to include and support people with disabilities. This issue will become more acute as the demographics of societies change and more people live to an old age (Lee, 2003). However, in history, the Athenian and Spartan city states for example reports were made of how they have dealt severely with special needs children because their interest was in developing a society free of defectives. Special needs children were thought of as essentially non-human and were treated accordingly. Evidence abounds that prejudice against the special need is almost universal in Nigeria and affects their social, economic, educational, mental and psychological well being. From the days of Aristotle who equated deafness to mental incapacity to the present day, the special need seems to have had to fight more or less a losing battle in many countries (especially in the developing ones) to be conceded, the right to life as human beings. In most communities in Nigeria, attitudes are so negative towards the special need children that they are not even considered acceptable gifts to the gods. They are seen as "a taboo", an embarrassing spectacle and a disgrace to their families. Many special need children are still abandoned on streets and in

bushes because they are considered as liabilities and a source of shame.

In Nigeria, beliefs about the causes of disabilities tend to condition discriminations and reactions towards the exceptional child. Handicapping conditions such as deafness, blindness, mental retardation, orthopedic impairment to mention but a few in traditional settings are mostly attributed to punishment by vengeful gods for wrong done in the present or past incarnations including; infidelity of parents, wanton murder, eating prohibited foods, fishing in sacred waters and even heedlessness on the part of the expectant mothers who expose certain parts of their bodies or walk in the noon day or in the dark at odd hours. In most rural societies, there is also a strong belief in witchcraft, evil spirits and demons who parade the streets at night causing havocs in form of disabilities to those who ignore their warnings. It is necessary however to emphasize that owing to the rapid diffusion of learning and civilization, there is a significant reduction in these die-hard negative attitudes towards the handicapped, even though traditional beliefs and discriminations towards the handicapped still differ from society to society depending on the nature of beliefs that provide a basis for the discriminations.

People have reacted in different ways to disabling conditions; such include: shame, prejudice, fear and exclusion from family or community life. In a developing country like Nigeria, it is evident that persons with disabilities constitute one of the poorest, socially excluded and marginalized groups within the society (Lang & Upah, 2008). Even today, special need individuals continue to face social stigma, exploitation, and discrimination (Nigerian Institute of Legal Studies, 2010). In fact, in most communities, children with disabilities are perceived as a financial burden because they are unable to contribute to the family economy like their peers without disabilities, some of whom assist their parents by going out to the streets to sell various food items, clothing, and general merchandise (Ebigbo and Ebigbo, 1992). Against this background, it is obvious that living with a child who has a disability can have profound effects on the entire family structure.

Concept of special needs and/ or special education

The term children with special needs refers to children who have specific academic, behavioural, or physical needs, which cannot adequately be met in a regular classroom. It may include children with disabilities, having serious health problems and behavioural disorders. Gifted children are also considered as belonging to this category due to their higher order needs. According to Julka (2002 the term also refers to children with situational disadvantages due to various catastrophes, among others. Malhotra (2002) asserts that children with special needs have to fight tough battles as they lack conditions, rights and opportunities easily available to their unencumbered counterparts. These children require appropriate infrastructure and environment at various levels, which can help them attain a holistic education and ensure their recognition as independent individuals with unique strengths and weaknesses. Mohey and Woodhouse (2002) identify the use of space, availability of equipment and/of qualified people as important features of an appropriate social environment for such children.

Special education and/or special needs education is the practice of educating students with special needs in a way that addresses their individual differences and needs. Ideally, this process involves the individually planned and systematically monitored

arrangement of teaching procedures, adapted equipment and materials, accessible settings and other interventions designed to help learners with special needs achieve a higher level of personal self-sufficiency and success in school and community than would be available if the student were only given access to a typical classroom education. Common special needs as earlier posited include learning disabilities, communication disabilities, emotional and behavioral disorders, physical disabilities and developmental disabilities. Students with these kinds of special needs are likely to benefit from additional educational services as different approaches to teaching, the use of technology, a specifically adapted teaching area, or a resource room.

National baseline survey on persons with disabilities (PWDs) in Nigeria

Globally, according to United Nations estimates, there are 500 million disabled people worldwide. Of these, 55 million are blind (11%); 70 million are deaf (14%); 130 million have a severe intellectual impairment (26%); 20 million have epilepsy (4%) and 160 million have some sort of mobility impairment (32%). The incidence of impairment varies according to age, geographical and economic status.

In spite of the above data, the dearth of demographic, economic or social data on Persons with Disabilities (PWDs) the world over remains pathetic. This situation is a source of great concern to all and sundry. However, in 2009-2010, Nigeria conducted a National Baseline Survey on Persons with Disabilities, aimed at generating Database on Persons with Disabilities in Nigeria. This is in line with the World Programme of Action launched in 1980, which lays emphasis on the need to isolate indicators on disability for effective formulation and implementation of policies aimed at ameliorating the living conditions of PWDs. This is also in consonance with Article 31 of the United Nations Convention on the Rights of Persons with Disabilities, which Nigeria becomes a signatory to on the 28th day of May, 2007. The National Baseline Survey on Persons with Disabilities, therefore, represents a bold attempt to collect comprehensive information on PWDs in Nigeria.

To this end, the report gives a national average of 3.2 per cent prevalence of PWDs, thus suggesting that about 4.8 million Nigerians are living with one form of disability or the other (even though the belief is widespread in Nigeria that they number up to about 10 million). The rates are significantly higher in the geo-political zones of North-West (5.0%), South-East (4.5%) and the South-South (3.3%) than North-Central (2.6%), North-East (2.4%) and the South-West (2.1%). There were variations in the gender distribution of PWDs among the zones with more men than women living with disability.

Despite this, the underneath presents divergent figures of PWDs population owing to the nation's inability to carry out research, and definitions of disability and impairment vary precipitating difficulties in arriving at the exact statistics of this category of the populace.

However, in an independent study, Bakare, (2010) as cited from *2006 Census (Npop, C.J. 2008)* puts the estimates of the overall figure to 14.1 million of all categories of disabled individuals irrespective of nature of disability in Nigeria as at the time under review. The figure is arrived at by the United Nation Educational, Scientific and Cultural Organization (UNESCO) projections (that one in every ten Nigerians has one

disability or the other). Inferentially, 10% of the total population (of Nigeria's 140 million) accounts for the disabled population; and by extension, now that Nigeria's population stands at about 170 million, by implication, there ought to have been a steady and corresponding increase in the rise of the disabled population to 17.1 million (Bakare, 2016).Viewed differently, the Nigerian National Assembly (2013) estimates that there are over 20 million people living with disabilities in the country today.

Situation analysis of PWDs in Nigeria

There is lack of reliable information and statistical data on the nature and prevalence of disability in Nigeria. The existing statistics are unreliable, as a result of:

- Differences in the definition of disability;
- Lack of knowledge on different disability types;
- Surveys carried out are not reliable and computer assistance technologies were not used for the collection, collation and analysis of the information gathered;
- Negative societal attitudes towards PWDs;
- Poor service infrastructures for PWDs in cities, towns and rural areas;
- Illiteracy levels are very high and this had impeded the effective collection, collation and analysis of data.

Equally the exclusion experienced by PWDs and their families resulted in:-

- political and socio-economic inequalities;
- lack of integrated economic and social policies;
- social attitudes which have perpetuated stereotypes of PWDs as dependants, and in need of care, or not even caring for and not being regarded as a resource to society;
- lack of policy/legislative frameworks, which have sanctioned and reinforced exclusionary barriers in a wide variety of areas;
- lack of access to education which ensured that many adults with disabilities are either poorly educated or not educated at all;
- lack of legislation, and this has contributed to the social exclusion of persons with disabilities.

Background to societal attitudes and discriminations toward PWDs

Attitudes are a complex collection of beliefs, feelings, values and dispositions which characterize the way we think or feel about certain people or situations. People's attitudes are a product of life experiences, including the relationships we build with the people around us. For example, a person's attitudes towards one disabled person might be shaped by their personal experience of knowing another disabled person. And these attitudes often affect the way people behave in particular situations or towards other people (Bakare, 2010).

As it can be construed, attitudes are often defined in terms of mood, thought processes, behavioural tendencies and evaluation (Hernandez Keys and Balcazar, 2000). Cognitive, affective and behavioural evaluations are central to the notion of attitudes. Cognitive evaluations refer to thoughts people have about the attitude object. Affective evaluations refer to feelings or emotions people have in relation to the attitude object. Behavioural evaluations refer to people's actions with respect to the attitude object (Hernandez Keys and Balcazar, 2000).

While attitudes can be thought of as internal individual processes, they link each person to a social world of other people, activities and issues, including people who are actively engaged in helping form or change attitudes (Eby and Molnar, 2008 citing Zimbardo and

Ebbessen, 2006). Thus, attitudes are part of a framework by which we interpret our social environment. Attitudes represent relatively stable attributes and, at the same time, they appear to be learned rather than innate (Zimbardo and Ebbessen, 2006 cited by Eby and Molnar, 2008). Social learning theory highlights the process of acquisition of knowledge and attitudes from important others, such as parents, teachers, peers, and media figures (Bandura, 1977).

Attitudes are transient and change from person to person, from group to group, and even within groups over time. There is a growing body of evidence to indicate that disabled people are more likely than people who are not disabled to experience the attitudes of others as a major barrier to education, leisure, transport, access to public services, social contact and accessibility outside the home (Office for National Statistics, 2014). Understanding the prevalence of positive and negative attitudes and which groups of people hold them is crucial if we want to understand how to improve public attitudes.

Meanwhile social policies concerned with people with disability are intended to promote their social inclusion within their societies, and their acceptance within mainstream services and facilities. This recognises that people with disability have the same right to achieve their personal goals and ambitions as the rest of the community, and in ways commensurate with achieving the fullest possible quality of life (Clement and Bigby, 2008). The United Nations Convention on the Rights of Persons with Disabilities 2008, which Nigeria has ratified, obliges governments to implement policies to realise and protect these rights. The Convention is consistent with the social perspective on disability, which emphasises that exclusion seemingly based on bodily difference has a social and political dimension.

In this context, policies directed towards identifying societal attitudes and discriminations to disability and improving them are important, because social inclusion and exclusion are largely determined by dominant cultural values and perceptions. As the UK Prime Minister's Strategy Unit report (2005) points out, attitudinal barriers are one of the main impediments to improving the life chances of people with disability, not only the attitudes of employers, health professionals or service providers, but also sometimes the attitudes of people with disability themselves. The report notes that 'disablism' (Deal 2007) (that is, those attitudes that constitute subtle barriers rather than outright discrimination) interprets people with disability as individuals in need of care or control, or as lesser people who do not fit into 'normal' society. The report also said that these attitudes need to be replaced with recognition that people with disability are full and equal citizens, that the media has an important role to play in this, and that people need a better understanding of what disability is and how barriers perpetuate exclusion.

Perceptions of people with disability greatly affect their inclusion in their societies and their capacity to achieve basic goals. Examples of negative attitudes towards people with disability include derogatory stereotypes, beliefs that people with disability have a lesser position in society or that they have a diminished capacity to contribute due to their impairment. Holding such discriminations and attitudes lead people to maintain social distance from people with disability and exclude them from their social networks.

Policy responses to a social understanding of disability aim at

modifying the social context to promote people's inclusion and participation. Examples of such policies range from providing assistive equipment, through to providing resources for services, health care and other forms of support, to legislating against discrimination.

A theoretical framework for understanding societal attitudes

A theoretical framework is important in social policy research because it allows the researcher to identify why and how variables of interest may be related to one another. Moreover, a theoretical framework makes it possible to account for changes in the variables. In this paper, the main variables of interest are 'societal attitudes', 'outcomes for people with disability', and 'changing attitudes'. The aim of the paper is to discuss societal attitudes inform of discrimination to individuals with disability which have a significant impact on the latter's social participation and wellbeing; if the attitude of others is positive, people with disability would be more likely to experience social and economic inclusion in the same way as other members of their societies. The above variables are themselves affected by a number of factors, however, which creates the complexity in analysing the relationship.

According to Allport (1935) and Petty and Cacioppo (1981), there are two components to attitude: thoughts and feelings. Attitudes and behaviour are correlated, but they are not always the same: a person can think and feel in one way, but act in another (even opposite) way. Attitudes can be either positive or negative, and even when they are positive, there can be a disjunction between the way people without disability interpret 'positive' and the way it is interpreted by people with disability. For example, a person with disability may conceptualise a positive attitude as being 'nice' or 'helpful', whereas a person with disability might find it patronising and prefer that they avoid the category of disability entirely (Yazbeck, McVilly and Parmenter, 2004, citing Makas, Finnerty-Fried, Sugafoos and Reiss, 1988).

Moreover, the strength with which attitudes are held can be affected by many factors such as direct experience (Fishbein and Ajzen, 2OO5), modelling (Bandura 1977), values (Rokeach 1973), situational context (Calder and Ross 1973) and even just exposure to other people (Zajonc 1968). It is also possible to differentiate between personal attitudes and societal attitudes. The attitudes of a group will tend to reflect the attitudes of the individuals that make up that group (although not necessarily) and because attitudes are dynamic rather than fixed, societal attitudes can be changed.

According to Fraser (1999), there are two different types of inclusion that social policy researchers aim to improve for marginalised groups such as people with disability: relational and distributional. Relational inclusion involves people's sense that they are valued as much as other members of society; distributional inclusion involves parity of access to social and economic opportunities. Respect and non-discrimination are required for the first type of inclusion. Equality of wellbeing and participation (in group access to education, employment, etc.), identified through empirical measures of outcomes, are required for the second type.

To bridge any gaps in societal attitudes towards people with and without disability and the outcomes they experience, it is necessary to try and change attitudes. It is true that attitude change, whether in individuals or in societies, is a slow process. Time and attention are required to challenge the beliefs that constitute an attitude, much less overturn them. Still, education has

been shown to be effective in changing attitudes, whether that education is intended to overcome ignorance (Stephan and Stephan 2004) or to develop empathy and mindfulness (Langer, Bashner and Chanowitz, 2005). Allport's (1954) 'conduct hypothesis', which argues that direct contact between members of different groups improves intergroup relations and decreases prejudice and discrimination, has also been shown to be important for effecting attitude change.

Societal discriminations and attitudes on life domains towards the special needs individual in Nigeria

This section looks more specifically at literature in some of life domains, from which discriminations might be inferred.

Education

Individuals with disabilities face significant hurdles in enrolling, attending and completing school. UNESCO (2010) argues, "Disability is one of the least visible but most potent factors in educational marginalization. Beyond the immediate health-related effects, physical and mental impairment carries a stigma that is often a basis for exclusion from society and school." (p. 181). Yet, there has been limited empirical analysis on the disabilities and access to schooling (Filmer, 2008). UNESCO (2010) reports, "impairments that affect the capacity to communicate and interact in ways common in mainstream schools can impose particularly high practical and social obstacles to participation in education" (p.182). Majority of the out-of-school disabled children had not yet enrolled in school. This is not surprising because many studies have found institutionalized discrimination, neglect and stigmatization in schools and society; this has created a cycle of low levels of schooling and subsequent poverty (UNESCO, 2010; Filmer, 2008; UNESCO, 2004). Disabled children attend schools that are underfunded and lack educational materials, yet they had to pay high fees (Kristensen, Omagar-Loican, Onen and Okot, 2006). These institutional constraints may explain why some households are reluctant to enroll their children in schools.

Politics

People with disabilities are in some cases denied the right to vote and others may not be given a genuine chance to cast a ballot because election procedures have not been accessible to them all. Persons with disabilities have the desire and capacity to participate in decision-making that affects their lives. Despite this, they often face barriers that limit or prevent their access. Common barriers many persons with disabilities encounter are: Societal stigmas (lack of empowerment, perceived lack of capacity, religious/cultural stigma, familial shame / home imprisonment and institutionalization). Secondly, discriminatory legal frameworks/ infrastructure (public education systems without accessible schools/teaching materials, lack of accessibility in polling places/government offices). Lastly, patronizing approaches by decision makers (positive rhetoric unmatched by improved access to the political process) (Schur, 2008). Democratization programmes aimed at greater inclusion of persons with disabilities must, therefore, take the challenges of the overall environment into account and consider what role persons with disabilities can play in helping democracy expand and deepen.

Employment

A major barrier to employment of people with disability is negative

employer attitudes, documented in literature (Abang, 2005; Ashi, 2008; United Nations, 2006). Even in a more advanced economy like Australia, for example, many of the respondents to the National Disability Strategy consultation process Deane (2009) reports that few employers were willing to employ a person with disability, even to the point of direct discrimination. The respondents attribute this reluctance to negative attitudes and misconceptions about disability. People with intellectual disability or histories of mental illness are particularly stigmatised in the UK, but sometimes employers are acting on their misconceptions about the cost of modifications and adaptive technology. Bloom (2008) finds that employers in general tend to feel that neither they, nor their staff, will be able to cope with what they believe to be the difficulties involved in employing people with mental retardation. He holds a widespread conviction that such employees will be disruptive or even dangerous, or that they will be incapable, unpredictable and unreliable. An interesting finding is that, although employers are highly reluctant to recruit people with mental illness, they are quite comfortable with the idea of retaining an existing employee (Bloom, 2008). Conversely also, attitudes on the part of people with disability themselves can sometimes be a barrier to employment. Moreover, many people with disability feel that employment will be too stressful and might be detrimental to their health.

Barnes and Mercer (2005) point out that generally the tendency to equate social recognition with paid employment has marginalised many people with disability because people with disability have high rates of unemployment and underemployment. Barnes and Mercer find that about 60 per cent of people with disability of working age in the UK are not in paid work and that they have unemployment rates three times higher than people without disability and much longer periods of unemployment. They argue that this disadvantaged employment situation is not solely the result of impaired abilities but of social and attitudinal barriers.

Housing and environment

The private housing sector is another area where prejudicial attitudes towards people with disability can deprive them of the choice to live independently in the society. As Wiesel and Fincher (2009) point out, landlords and real-estate agents prefer to rent properties to people with enviable track record. They also prefer tenants to be in stable, well-paid employment. Given the far lower rates of employment and job and financial security described previously, private rental landlords may be wary of leasing property to people with disability. While governments uphold the right of people with disability to live independently within the society, regulation and policy does not reach the private rental market, except through anti-discrimination legislation.

Prejudicial attitudes towards people with disability are palpable considering barriers set by the public in a person's environment. Inaccessible environments by these people further create disability occasioned by creating barriers to participation and inclusion. Examples of the possible negative impact of the environment include: a deaf individual without a sign language interpreter; a wheelchair user in a building without an accessible bathroom or elevator and a blind person using a computer without screen-reading software. Meanwhile, the environment may be changed to improve conditions and outcomes for persons with disabilities. Such changes can be brought about by legislation, policy changes, capacity building, or technological developments leading to, for instance: accessible design of the

built environment and transport; signage to benefit people with sensory impairments; rehabilitation, education, and support services; and more opportunities for work and employment for persons with disabilities.

Social networks and leisure

Discriminations towards people with disability can also reduce people's participation in social and leisure activities, and detract from the fulfillment of their right to social inclusion. Hutzler and Levi (2008) find that high school students without disabilities are less willing to include students with disability in physical education classes if they have previously interacted with these students. The authors suggest that this was because the previous experience might have decreased the students' expectations of team success in the sporting activity. They are unwilling to restrain their own performance by accommodating themselves to the students with disability. Even when they do not face overt forms of exclusion, people with disability in particular are often restricted in their choices because their social networks are not effective or adequate (Wiesel and Fincher, 2009).

Efforts made at improving the well-being of individuals with special needs in Nigeria

Underneath efforts capture the basis why disability is a human rights issue and the several as well as diverse global responses to the rights of people with disabilities. All these efforts are elucidated with the view to understanding how improvement can be attained in the the well-being of individuals with special needs in Nigeria.

Human rights and disability

Disability is a human rights issue, according to Akhihiero (2011) because:

- People with disabilities experience inequalities – for example, when they are denied equal access to health care, employment, education, or political participation because of their disability.
- People with disabilities are subject to violations of dignity – for example, when they are subjected to violence, abuse, prejudice, or disrespect because of their disability.
- Some people with disability are denied autonomy – for example, when they are subjected to involuntary sterilization, or when they are confined in institutions against their will, or when they are regarded as legally incompetent because of their disability.

A range of international documents have highlighted that disability is a human rights issue, including the *World Programme of Action Concerning Disabled People* (1982), the *Convention on the Rights of the Child* (1989), and the *Standard Rules on the Equalisation of Opportunities for People with Disabilities* (1993). More than 40 nations including Nigeria adopted disability discrimination legislation during the 1990s (Alemika, Innocent, Donika, Daniel & Jarmila, *2005*). The Convention on the Rights of Persons with Disabilities (CRPD) which Nigeria is a signatory is the most recent, and the most extensive recognition of the human rights of persons with disabilities. The convention outlines the civil, cultural, political, social, and economic rights of persons with disabilities (CRPD, 2010). Its purpose is to "promote, protect, and ensure the full and equal enjoyment of all human rights and fundamental freedoms by people with disabilities and to promote respect for their inherent dignity".

Global responses to the rights of PWDs

For the dearth of time and space, the underneath synopses of global responses to the rights of PWD shall be posited viz:

International Labour Organization (ILO) Convention Concerning Vocational Rehabilitation and Employment (Disabled Persons) of 1983. United Nations Children's Fund (UNICEF) Convention on the Rights of the Child of 1989. United Nations Development Programme (UNDP) through its affiliate IMPACT, was responsible for the two Leeds Declarations of 1981 and 1992. International Non-governmental Organisations' (INGOs) International Year of Disabled Persons and the formation of the World Programme of Action concerning Disabled Persons of 1980.

United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention Against Discrimination in Education of 1960. Also in December, 2001, the UN set up an Ad-hoc committee to consider proposals for a comprehensive and integral international convention to protect the rights and dignity of persons with disabilities. The process culminated in the adoption of the Convention and Protocol on the Rights of People with Disabilities in 2006. Nigeria ratifies the Convention and the protocol in 2010. With this development, we may safely adopt the provisions of the said instruments as the benchmark on the rights of PWDs in Nigeria. The Convention not only gives universal recognition to the dignity of persons with disabilities but it marks a paradigm shift in attitudes and approaches to persons with disabilities. Also, UNESCO's Sundberg Declaration of 1981 is a watershed.

The World Conference on Special Needs Education, organized by UNESCO and held in Salamanca, Spain, in 1994, recommends that inclusive education should be the norm (UNESCO, 1994). This has now been reaffirmed in the new Convention on the Rights of Persons with Disabilities.

National responses to the rights of PWDs

The articulation of the rights of persons with disabilities at the national and state levels has not been quite encouraging in Nigeria. There appears to be a palpable apathy on the path of successive administrations towards the plight of this vulnerable group. Little wonder therefore that the PWDs themselves have taken up the gauntlet to champion their own cause.

However, the rights of all persons are rooted in human rights framework based on the provisions of the United Nations Charter, the Universal Declaration of Human Rights, the International Conventions of Human Rights and other local legislations of different nations. In Nigeria, the human rights of PWDs like other individuals are enshrined in the 1999 Constitution, other local legislations and other international and regional human rights instruments adopted by Nigeria.

At the level of legislative reform, some legislations have been enacted which though not specifically addressing the rights of PWDs but in a way seeks to protect their interest. Such legislations include the Child Rights Act 2003 which has been domesticated by some states of the federation, the Universal Basic Education Act 2004 and the Employees Compensation Act 2010.

In recent times, some legal scholars have made references to provisions of the Nigerians with Disability Decree of 1993 purportedly promulgated under the military dispensation. The origin, existence or validity of this decree is quite controversial. It is a matter of great regret that despite the laudable

provisions of the 1993 Decree, there was no attempt whatsoever by the government to implement the provisions. To give effect to the laudable provisions of the decree, section 14 thereof establishes a National Commission for People with Disability. The Commission is charged with the objectives of promoting the welfare of the disabled and to enhance the full utilization of the disabled in the developing of human resources and to bring about their acceptance as full participants in every phase of national economy and development with equal rights and corresponding obligations. Even as it were, its provision is not contained in the 2004 Edition of the Laws of the Federation of Nigeria. The present status of the Decree is not clear and thus we cannot vouch for its authenticity.

In the current civilian dispensation, some attempts have been made to sponsor some bills at the National Assembly to secure and safeguard the rights of PWDs in our society. Unfortunately, none of these bills has crystallized into a full-fledged legislation. The bills include:

(i) A Bill for an Act to Provide Special Facilities for the use of Handicapped persons in public buildings sponsored by Dr. Jerry Sonny Ugokwe;

(ii) A Bill to prohibit Discrimination against persons with disabilities, 2008, sponsored by Senator Bode Olajumoke;

(iii) Nigerians with Disabilities Bill, 2008, sponsored by Hon. Abike Dabiri and 17 others; and

(iv) A Bill for an Act to prohibit all forms of discrimination against persons with disabilities and give them Equal Opportunities in all Aspects of Life in Society, 2009, sponsored by Hon. Tunde Akogun.

(v) In the 7th Senate of the National Assembly, a bill titled an Act to Ensure Full Integration of Persons with Disabilities and to establish a National Commission for Persons with Disabilities and Vest it with the Responsibilities for Their Education, Health Care and the Protection of their Social Economic and Civil Rights is before the Senate. This bill, which is sponsored by *Senator Nurudeen Abatemi Usman* is an improved version of a similar bill sent to the 6th Senate.

It should be emphasized that all these bills are still pending before the National Assembly. The previous Disability Bills have always faced challenges such as funding and policy implementation, where robust legislative framework has further been challenged by: limited conceptual understanding; poor championing awareness; inadequate or inappropriate institutional arrangements; a general lack of capacity; and lack of allocated fiscal resources and commitment by government, and agencies responsible for such implementation.

However, at the level of the states, the situation is not so gloomy. A few states have demonstrated pragmatic commitment to the plight of the PWDs by enacting specific legislations to protect their rights and interests. Way back in 1981, the Plateau State Government enacted the Plateau State Handicapped Law, 1981. The law stipulates inter alia, that education of children with handicaps is compulsory and provides for the rehabilitation needs of adults with handicaps. We are however not aware about the level of implementation of this relevant piece of legislation.

In Lagos State, sometime in 2003, the legislature enacted a law captioned the Disabled Persons Welfare (Enhancement) Law, 2003 of Lagos State. The law seeks to enhance the welfare of disabled persons within the

State. Available reports show that this law is not being implemented presently. Also recently, the same Lagos State Government enacted a law the Lagos State Special People's Law 2011 to ensure *inter – alia* that people living with disabilities in the state are given equal rights in all social services, employment, political and educational facilities. The law also safeguards them against discrimination and guarantees their right to access information, conducive socioeconomic environment, and access to special education and public transportation facilities. We sincerely hope that this law will not suffer the same fate as the 2003 legislation.

Psycho-strategic policies to reduce discriminations

The three-tiered schema, referring to the personal, organisational and structural levels of intervention, provide the framework for attitudinal change against discrimination in this paper.

Personal level

The first type of policy initiative being discussed in this paper is aimed primarily at reducing discriminations at the personal level. Examples are awareness campaigns, disability awareness training and information, the public portrayal of people with disability in mass media and the arts, and social contact programmes. They are policies to change individuals' attitudes towards people with disability in general, rather than targeting specific forms of disability.

These policies are based on theories of persuasion from cognitive and social psychology literature. Cognitive psychology theorises information processing as occurring through two routes: peripheral and central (Petty and Cacioppo, 2001). In the central route, people are able and motivated to process information carefully, and thus the chances of an enduring attitude change are greater. In the peripheral route, people are more likely to draw on established stereotypes because they require less consideration.

The implication for policies attempting to reducing discriminations and change attitudes about people with disability from negative to positive is that persuasion needs to target central rather than peripheral routes of information processing, if the policy is going to be most effective. Such persuasion should come from intensive campaigns in which information is presented to challenge negative beliefs. Presenting subliminal or 'in passing' information is effective for supplementing more direct information.

In addition, whether persuasion occurs, and the extent to which it occurs, depends not just on the information itself, but also on characteristics of the communicator, the message and the audience. For example, clarity is important: 'messages that are easily understood and give clear knowledge of what to do, and how and when to do it is more likely to be adopted' (the Yale approach cited in Kleeman and Wilson, 2007, p. 15). Currently held beliefs and expectations of the target audience also influence how effective policies aiming to change attitudes are likely to be.

Policies to reducing discriminations and replace negative attitudes about people with disability take two strategies. The first is to challenge any ignorance, misunderstanding, myths, misperceptions, stereotyping and fear (Brostrand 2006; Hunt and Hunt, 2004) that may underlie negative attitudes. The second is to ensure that attitudes that people without disability regard as positive are also seen as positive by people with disability. Thus, two routes, targeting both negative and positive attitudes, may be necessary for effective attitude change.

Organisational level

The second level of policy to reducing discriminations and improve attitudes to people with disability is policy at the organisational level, aimed at achieving equality within life domains. Organisational-level policies support positive contact between people within life domains such as education, employment, housing and health. They seek to mitigate the power disadvantages experienced by people with disability within these domains by changing the behaviour and attitudes of people exerting power and of those who are privileged relative to people with disability, while supporting and empowering people with disability to claim their rights. Examples include training, complaints mechanisms and information targeted to particular life domains.

Targeted organisational policies have the potential to facilitate the equal social participation of people with disability in everyday interactions in society. To address equality goals, policy design and implementation should aim to acknowledge power differences between people with and without disability (Sawrikar and Katz, 2008).

This conceptual approach to organisational-level policy initiatives designed to overcome discriminations and negative attitudes is consistent with the model proposed by Scotch and Schriner (2007). The approach is to 'move away from a welfare model of service provision to a person-centred approach that sees services not as charity but as a social investment in realising the potential of people with disability (Deane 2009).

Research on the effectiveness of attitudinal change programmes in specific life domains, such as employment and education, shows that not all policies are effective (Campbell, Gilmore and Cuskelly, 2003; Harvey, 1985; Tait and Purdie, 2000). Changes towards more positive attitudes require significant levels of combined educational and experiential interventions if the effects are to be long lasting.

Structural level

Policies that operate at a structural level mandate behaviour change as a step towards longer-term attitude change. This level consists of policy statements and laws defining behavioural requirements that reflect positive attitudes, together with the means to implement, monitor and in some cases enforce compliance with policy and legislation. One example of a structural-level policy is the enacting and monitoring of anti-discrimination legislation through mechanisms such as standards, individual complaints and human rights agencies.

This approach is consistent with the theory of cognitive dissonance (Festinger 1957), which assumes that, by forcing people to change their behaviour; structural-level policies also ultimately target people's underlying beliefs and overall attitudes, because they are then faced with the task of reconciling the dissonance between their attitudes and their behaviour. Thus, legislation that mandates anti-discriminatory practices, for example, can lead to changes in attitudes because people's attitudes eventually become consistent with the required behaviour.

The connection between changing attitudes and this structural level of intervention is noted by Barnes and Oliver (2005, p. 114):

> *[w]hat is needed is a comprehensive legislative programme which establishes a suitable framework for the enforcement of policies which ensure the integration of disabled*

> *people into the mainstream economic and social life of the society, and provides public confirmation that discrimination against disabled people is no longer acceptable.*

This theory has implications at the structural level for policy change because legislative mandates are a broad and overarching approach that can influence the behaviours (and eventually the attitudes) of people in general, and not just a sub-group of the population. If change is to be systemic and large-scale, laws and policies at structural level are required, as well as national marketing and longitudinal monitoring of change through national data collection. While tailoring interventions to meet local needs relies on the participation of society groups, it can also be said to be the responsibility of governments to provide support for these local initiatives.

Implications of policy levels for reducing societal discriminations

Policy initiatives to reducing societal discriminations require action at all three levels—personal, organisational and structural. All three are equally important and reinforce each other. For example, when structural policies and practice mandate equal opportunity, both the work cultures within organisations and the personal attitudes of the people in the organisation tend to change over time to accord with these laws or policies. Examples of interventions that are sensitive to localised needs but still operate at all three levels are strategies pitched at the personal, family and societal contexts.

The direct and active involvement of people with disability is crucial in the programme design, implementation and management of personal-level policies. Consumer participation is now broadly reflected in government policy (Monye, 2005). Increasing consumer involvement involves redefining the relationship between consumer and provider, away from the 'patient'/'expert' format and towards a more equal and genuine partnership. Consumer participation depends on a number of factors, including the person's level of functioning, what they want and what they believe they can contribute (Lammers and Happell 2003). Murfitt (2006) finds that 'people with a disability, as the recipients of negative attitudes, are agents of the change process via their active interaction with others and the process of development they experience themselves. Rather than passive recipients, they are critical agents of change' (quoted in Kleeman and Wilson 2007, p. 17).

Track records and strengths of PWDs

The conglomeration of persons with disabilities presents veritable potentials in terms of human resources. We cannot afford to neglect such potentials. Going through the course of history, we have a line of persons with disabilities who made enormous contributions to advance their societies. They include:

(i) Gourerneur Morris who helped to draft the Constitution of the United States of America in1780. He had an artificial limb, and rose to become a Senator from New York;

(ii) Benjamin Franklin, a congress man and a great American statesman. He was carried about in a wheel chair;

(iii) Franklin Delano Roosevelt, the 32nd American President. He was a victim of polio. He overcame his disability and ruled American from his wheel chair during the period of the great depression. He introduced the new Deal of relief, recovery and reform;

(iv) Louis Braille who became blind after accidentally stabbed himself in the eye. He later designed the Braille writing system which enables blind people to read through organized bumps representing letters;

(v) There are famous blind musicians like Ray Charles and the legendary Stevie Wonder. We also have our own Cobhams Asuquo, a blind music producer from Cross River State.

(vi) Esther Oyema the Nigerian female weightlifter, lifting a record-breaking 135 KG, to take the gold medal for Nigeria in the Paralympic games in London;

(vii) Basharu Danlami Umaru, blind right activist and educationist is a Nigeria's delegate to the Conference of States Parties of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in New York, USA; Delegate of the Joint National Association of Persons with Disabilities to the UN High Level Meeting on Disability and Development; participated at the side event of DPI tagged: "voices of youth with disabilities from the global south"

The list of talented persons with disabilities is inexhaustible. The bottom line is that the PWDs have their roles to play and they must be given the opportunities to contribute their quota towards the advancement of their fatherland. This is not the time to practice any form of discriminations against persons with disabilities.

Conclusion

Interventions that have been shown to reduce discriminations and influence attitudinal change include personal, organisational and structural levels of paradigm shift; legislation (Nigeria can therefore gain immensely from countries that have effective legislation and policy implementation regarding disability, not using them merely as case studies or examples but as standards to be emulated); supporting participation of people with disabilities in all spheres; mainstreaming and dismantling structures of segregation and discrimination; widespread debate and discussion in academic and public domains around disability issues. Each of these "interventions" has a role to play in generating positive attitudes to disability in all areas of life including those of an interpersonal nature.

Increasing personal contact with people with disabilities by supporting them to access education, employment and social activities on an equal footing with everyone else may prove to be the most important and equitable of interventions. This will be done through reviewing education and employment policies and tackling the obstacles that prevent people with disabilities accessing appropriate education and employment opportunities and participating in social and cultural life. As more people with disabilities participate in all aspects of "mainstream" life, the general population should become increasingly informed and this should help them to abandon stereotypes based on ignorance. Thus, one would expect that positive attitudes would continue to grow as long as the presence of people with disabilities continues to increase and expand in every area of life.

Recommendations

Charity is not enough. What is needed is a solid recognition that persons with special needs should have *human rights* which is key to ensure their integration and active participation and that these rights must be translated into purposeful actions that can be effectively implemented and sustained.

Persons with special needs require to be provided with health care, social welfare services, rehabilitation and the necessary assistance devices - aids and equipment to support them live as independently as possible in the society. Sustainable assistive technology and

personal assistance programmes remain pivotal to supportive independent living.

Also, we must work towards a society accessible and with safe environment for all. Such society should encourage independent living. This is a society where persons with disabilities have equal access to education, employment, legal and social protection as well as information and communication technology and where everyone has equal opportunity to participate in the life of the society.

Vocational integration should be enhanced by legislative and positive action measures to ensure equal access to the mainstream job market.

People with disabilities should be legally protected against discrimination. An adequate legal and administrative framework is necessary to prevent and combat discrimination and be safeguarded against all forms of violence and abuse.

Non Governmental Organizations (NGOs) in the developmental disability sector should have an important role to play in establishing contact between employers and potential employees, allaying employer concerns, building trust, reducing risks for employers, providing advice and so on.

There should be sensitization and training of agencies responsible for implementation of Disability policies; strengthening of Advocacy by disabled population; greater public sensitization about disabled rights; better oversight by National Assembly of agencies charged with implementing policy, etc.

Above all, and as noted in the body of the paper, the lessons drawn, hinged on the three-tiered schema could be enhanced and viewed as sacrosanct to provide the needed framework for attitudinal change by reducing discriminations towards individuals with special needs in Nigeria.

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