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When rights are not enough: What is? Moving towards new pedagogy for inclusive education within UK universities

Suanne Gibson[*]

Institute of Education, Plymouth University, Plymouth, UK

There is confusion surrounding 'Inclusion'. The aims and drivers of inclusive education (IE) as experienced in the 1990s to early 2000s, in the UK and globally, emerged from a 'successful' disability rights movement with its depiction of the medical model as pejorative and promotion of the social model. In education, what we currently experience are messy attempts at IE alongside growing collective anxiety and confusion, as some governments take reactionary policy steps. This paper engages with the ubiquitous and complex question of 'IE' in the UK with specific reference to the intersectionality of 'disability' and its location within the University. It will problematise the UK rights agenda of the 1980s–1990s, locate and reflect on the complexities and conflicts of Inclusion and consider the need for new pedagogic developments. Such developments, it will be argued, emerge when one applies a critical eye to the impact of hegemony and 'silence' on the experiences of those with 'disability'. This approach has been developed in other areas of social justice and diversity, that is, class, gender and 'race', and it is argued that such an approach is needed with regard to 'disability'. It is proposed that post-rights pedagogic developments linked to this may provide a sturdier basis from which UK inclusionists, in particular university educators, can locate their future work.

Keywords: disability; inclusive education; social justice; higher education

Introduction

Living in the UK in an era after the development of rights policy in the field of disability, for example, Disability Discrimination Act (1995), Special Educational Needs and Disability Act (2001), Disability Equality Duty Act (2006), Equality Act (2010), one might assume that a more equal society exists, where access to university education as well as employment are more readily available for all. Reading undergraduate prospectuses and university websites, that is, on the surface, it appears that UK higher education (HE) successfully includes many disabled students. Yet, looking deeper, this is not always the case. With high dropout rates, university transfers and negative student feedback (Beauchamp-Pryor 2012; Gibson 2012; Quinn 2013), the world of many 'included' disabled students is one of trial and error, frustration and failure, in general experiences which are more akin to ineffective attempts at integration as opposed to inclusion and academic success. This paper attempts to show why inclusion

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*Emails: suanne.gibson@plymouth.ac.uk; s1gibson@plymouth.ac.uk

in HE has failed, where the problems exist and to suggest a way forward for inclusive educators.

Firstly, an exploration of UK disability rights is provided, setting the background to the present-day UK education policy and provision. Secondly, the complexities and conflicts in the international fields of equal rights and inclusion are explored, in particular the core matter of inclusion's epistemological conflict and the linked debate regarding cultures of difference offering insight into why rights, in particular those promoting inclusive education (IE), have failed. Following this, 'disability' as intersectionality, and the question of its place in the international domain of social justice and diversity literature, is discussed. Once the genre of 'disability' literature is brought more fully into the field of social justice with connections made to debates on hegemony, silence, institutionalised established cultures and pushing against the flow, a more representative and meaningful form of inclusive pedagogy may emerge. This 'post-rights inclusive pedagogy' is presented as embryonic in form, at a theoretical rather than practical stage, which reflects Ahmed's (2012) stance that significant departures from the status quo need to emerge from new and totally unpractical attitudes. In its embryonic stage, 'post-rights inclusive pedagogy' is presented as one of questions and questioning, political chatter across all HE stakeholders and emergent practices that exist in a constant state of flux. A key argument is developed throughout that in seeing hegemony for what it is and seeking to know that which is 'other', meaningful forms of post-rights pedagogy for inclusion can evolve, that is, individuals and institutions need to engage with the conflict, coming to difference with openness and questions as opposed to established ideas on how to make that difference, the 'other', fit.

When attempting to understand the whys and wherefores of contemporary ideological movements or pertinent political conversations and their impact upon society or education, it is important to understand their history. The following section provides a short historical background to 'IE' in the UK.

History to IE in the UK

The disability rights movement (DRM) in the UK emerged from the work of Abberley (1987) and Barnes (1990) amongst others. At its core was the drive to achieve equality and rights for those with disabilities. It took a harsh view of 'institutionalisation' and 'exclusion' in the workplace, society and education. As a movement, encompassed in the work of bodies such as Union of the Physically Impaired Against Segregation, the DRM pushed for significant structural and attitudinal changes to 'disability' within and across institutions and society.

The DRM's rationale was based on ideals of equality and social justice emergent in response to practices and professional attitudes which promoted a tragedy model and paternal forms of provision. It argued that such beliefs and provision disempowered the disabled community. The impact of the DRM, related activist lobbies and the work of academics was to bring about significant changes to policy and provision not least in the field of education (UNESCO 1994). Originally the debate centred on school location for those with special educational needs but in guise, as the movement for IE, it became more political where the subjugation and exclusion of learners with disabilities were located in medicalised and individual pathologised views of policy-makers, practitioners and institutions (Thomas, Walker, and Webb 1998; Tilstone, Florian, and Rose 1998). Barriers were found within the system, not the person and

education became a connected area of activity where parents and practitioners, along-side academics and others, advocated for equal rights in the name of social justice.

Related UK and international government policy and promotion of educational practices seemed committed to the ideals and vision of 'IE'. With reference to the UK, *The Special Educational Needs Code of Practice* was published in 1994, and under the subsequent New Labour government, with its focus on 'Education, Education, Education'; the term 'Inclusion' quite swiftly became tantamount to a government mantra.

Booth (1999) depicts what IE meant in the UK, suggesting whilst it appeared on the surface as a clear aim of policy and practice; it was highly problematic in its orchestration. Whilst inclusion was meant to be about furthering access to mainstream schooling for disabled learners, the levels of documentation and directives that flowed from government did not result in practices of equality, it created provision that was inefficient and ineffective. More recent studies allude to continued inefficiency and confusion, suggesting that current UK policy developments will undermine years of work establishing appropriate professional roles and practices for inclusion (Lewis, Parsons, and Robertson 2007; Robertson 2012).

UK national policies and legal requirements in HE play a similar role in the quest to achieve inclusion, access and equality, for example, UK Special Educational Needs and Disability Act (2001); UK Disability Equality Duty (2006); UK Equality Act 2010. These directives note the inclusion of disabled students as a key drive for HE reform. They are drawn on as part of UK university practices termed 'widening participation', where outreach schemes with local schools take place and open days are held highlighting the university's inclusive provision amongst other things. Furthermore, UK government places proactive responsibility in accessing the views and voices of students with disabilities at the door of public bodies such as the University. However, similar concerns, as noted with primary and secondary UK education above, are noted in relation to HE with studies, publications and online sources presenting 'exclusion' of students with disabilities as the predisposition of the University (Beauchamp-Pryor 2012; Burke 2012; Gibson 2012; Madriaga 2007; Vickerman and Blundell 2010). Beauchamp-Pryor's (2012) research addressed the question of disabled student voice, power and barriers in HE and discovered little was known about disabled student experiences and that dominant discourses, traditional ideology and stigma resulted in ineffective forms of provision. Other studies reflect this and highlight the connection with numbers of students with disabilities being significantly underrepresented and marginalised without effective forms of consultation (Gibson 2012; Madriaga 2007; Vickerman and Blundell 2010).

Such an education institution may be described as disablist; the paradox being that Universities in the UK and arguably internationally present their outward facing selves as being 'Inclusive', adhering to policies on Inclusion and highlighting statistics or in-house reports which suggest that this is the case (OFFA/HEFCE 2014). Madriaga et al. (2011, 209) make it clear that within the University context, normalcy 'is equated … with an everyday eugenics, which heralds a non-disabled person without "defects", or impairments, as the ideal norm'. Such a sense of normalcy replicates thinking about the 'non-traditional' student resulting in their continued suppression and marginalisation.

The DRM in the UK may have led to policy development and legislation challenging traditional views of those with disability as 'invalid' and in need of fixing, but its translation into practice, effecting positive change, is tenuous. Whilst legislation for

rights and equality exists for people with disabilities along with institution-related policies, they are perceived by those within the disabled community and their allies as having failed to deliver. Practices which infringe upon the legal rights of the disabled continue; inequality has not gone away (Slee 2013; Young and Quibell 2000). Oliver and Barnes (2008, 397) summarise: 'Despite the incorporation of a disability rights agenda into the formal mechanisms of Government many disabled people remain amongst the most economically and socially disadvantaged in Britain'. I would add that they also remain amongst the most educationally disadvantaged. Given this context of inequality, played out against a backdrop of inclusive rights and legislation, emergent questions are why has it failed, what are the barriers? It then becomes necessary to unpack 'Inclusion' as ideology in the context of its society, time and place. The following section highlights the ideological complexities and conflicts of 'inclusion' and from that basis moves on to locate 'disability' within the genre of 'social justice and diversity' literature, from where a way forward for a post-rights inclusive pedagogy in HE is explored.

Problematising 'equal rights' and IE – complexities, conflicts and frustrations

Models have been developed and applied to understand and address 'rights' in relation to social justice. An early model, focused on the issue of fair and adequate resource distribution, is articulated in the work of Rawls (1972). Slee and Cook (1999, 272) critiquing this in relation to IE policy, suggest that 'the spirit of policy may appear consistent with a Rawlsian notion of the state [. . .] but the elimination of discrimination for disabled students is more than a question of the politics of distribution'. Policy driven IE initiatives have focused heavily on this matter of resource distribution. One might reference increasing numbers of teaching assistants, personal assistants or learning mentors in education at primary, secondary, further and HE or the various arguments suggesting that adequate funding would enable success for IE and the problems we currently experience would simply disappear (Beauchamp-Pryor 2012; Blatchford, Russell, and Webster 2012). Whilst adequate and fair resourcing is an important piece of the IE jigsaw, it is not the key piece.

Slee and Cook (1999) engage with 'rights' and 'equality' models as reflected in the work of Yeatman (1994) who argues that the issue of culture is more significant than resource distribution. They suggest (Slee and Cook 1999, 272) that the focus should be on political struggles, 'simply put, overcoming disablement and discrimination [. . .] is a political struggle between cultures of difference – not merely a technical problem to be resolved through different apportionment of special resources'. 'Cultures of difference' refers to the divide that exists within education when it comes to the matter of 'disability'. Inclusive policy, such as it was and is, endeavours to relocate disabled students into mainstream systems but in the process fails to engage with different cultural identities, attitudes, values and lived experiences. Thus, a misunderstood and misrepresented form of 'inclusion' is practised in education. 'Inclusion' becomes about attempts to induct that which is 'different' into already established forms and dominant institutional cultures. The impact can be seen in the stories of students with disabilities who have struggled to engage successfully with mainstream education: the pre-determined box or curriculum is square whilst the student is round. Gibson and Kendall (2010) explored such experiences in their study, noting the impact such integrationist measures had upon student self-esteem. Stories were told of exclusion from high ability groupings impacting their ability to achieve,

bullying by peers, labelling by teachers impacting self-motivation, reinforcement of their sense of self as worthless academically and their frustrations in trying to make themselves known to their teachers. Despite struggling against a system which excluded them in subtle as well as obvious ways, they successfully accessed university and graduated.

The lived experiences of students who have experienced integrationist approaches labelled as inclusion suggest that the impact is anything but inclusive or transformational for them. Slee (2008) names this tension as IE's epistemological conflict. Education as a system fails to acknowledge the cultural differences of a particular group of people it wishes to include. It fails to understand them and so it fails to engage with the deep complexities there are regarding necessary system, practice and cultural change. The conflict can be observed in reductive acts where IE, misunderstood as a form of practice to meet the needs of those with 'disabilities', results in 'disability' being perceived as individual pathology. The intervention to cause change and improvement is centred on the one with 'disability', not the institution with its established cultural norms and expectations of education as determined by long-standing established stakeholder values and behaviours. Slee argues that the key reductive act is 'an unwillingness to engage with the cultural and institutional grammar of schooling to identify the social nature of disablement' (Slee 2008, 108). I would propose that a final reductive act stems from this unwillingness: the cultural grammar of education not only reinforces the exclusion of 'disability' but by its perception of 'disability' as pathology it has its readymade reason for the failure of IE. A 'get out of jail' card is created in the form of 'The Disabled'. This institutionally labelled group is further reduced, seen as the cause of IE's failure and thus non-able players in the jigsaw puzzle, and so the cycle of suppression continues.

In light of the above, one might consider Carrington's (1999) argument as a progressive response for inclusionists seeking to move on from such systemic defeatism. She argues that there is a need to acknowledge and understand how one responds to difference or 'other', and by working from this basis, cultures of difference, 'able bodied' and 'disabled', may be promoted. This brings one back to an earlier argument, where the dominant 'normal' culture determines that which is 'inclusion', providing a square box as a means of integration and ultimately a misfit for a culturally very different round entity. If a significant step forward is to be found in promoting cultures of difference, such that the conversations held and outcomes achieved radically alter the way education is both understood and carried out, the first question must be how to encourage and establish this political discourse at both individual and institution levels? One needs to begin the process by seeing the problematics and 'failure' of IE as a symptom of failed 'policy' and 'rights' discourse due to their non-engagement with inclusion's epistemological conflict, cultures of difference and promotion of reactionary reductive education processes.

Thus, many are frustrated with the 'equality' debate, perceiving it as having failed those with 'disability' (Lewis, Parsons, and Robertson 2007; Madriaga 2007). In critiquing current UK policy, Robertson (2012) describes the beginnings of a system which may not benefit young people experiencing difficulties in learning and surmises that there may be more experiences of exclusion ahead due to separate processes of provision which will marginalise many. Recent citations from policy and research further depict a problematic landscape for advocates of IE. Examples can be observed in the UK government's recent Education Act: 'We will […] remove the bias towards inclusion' (DfE 2011) and in Education Media: 'inclusion in the mainstream is a route

to failure' (Sharron 2012). In these contexts, the problem is clearly sourced to 'inclusion' rather than the UK government's failure to engage with inclusion's challenges and complexities. It would be remiss to ignore the backdrop of global economic stagnation and cuts in provision to services for those with disabilities. One might be concerned that such a global crisis may allow for countries and governments to overlook their commitments to matters of international justice.

Writing in response to this frustration, some have argued against policy-induced reactionary and reductive 'DIY inclusion texts', 'almanacs' or tick boxes for teachers' which result in educators standing back from their own critical analysis or reflection of a situation (Slee 2013). Related arguments of spaces for civic engagement in education have been made where one can openly denounce simplistic models and related literature that offer 'answers' which do not work. Allan (2010a) has suggested that such a space would 'begin to do justice to the complexity and messiness of the processes of inclusion and exclusion' (416).

Arguably, IE has been colonised with its ideals being misrepresented by policymakers and overloaded practitioners striving to find a 'one size fits all' model. Colonisation has suppressed the political aspect of IE, its epistemological conflict located in the political struggles between cultures of difference, which needs to be engaged with rather than ignored via the use of lip service teaching almanacs or tools. It is timely to move that debate on and in acknowledging the need for a fresh discourse of questioning and reflection on 'cultures of difference', consider links to sophisticated and critical debates in the field of social justice and diversity. I would like to propose that connections to these debates lay the ground for constructive developments for a 'post-rights' inclusive pedagogy. The following section connects 'disability' to debates in the social justice field and, in suggesting that 'disability' takes its place under the 'intersectionality' umbrella, links to some of the critical debates and arguments in social justice literature. These links may offer a step forward for a 'post-rights' pedagogy of inclusion in HE.

Diversity, social justice and 'disability' as intersectionality

There are links in the literature and research of diversity and social justice to IE and 'disability', specifically in their dissection of related developments to bureaucracy, policy-driven labelling of diverse students and the ultimate failure of UK universities to listen to diverse stakeholder voices (Ahmed and Swain 2006; Burke 2012). Engaging with Ahmed and Swain's critique on 'Doing Diversity', it is interesting how they assert the term as problematic; that 'Diversity' has relegated former more meaningful terms – 'equal opportunities', 'anti-racism' and 'multiculturalism' – from policy discussions. Their concern is that the label 'Diversity' 'individuates difference, conceals inequalities and neutralises histories of antagonism and struggle' (2006, 96). The critique of 'doing diversity' is connected, they suggest, to the bureaucratised nature of the UK Race Relations (Amendment) Act 2000. When consideration was given to related practices of bureaucracy, it became clear that 'diversity' became more about paperwork, new policies, meetings and new university 'diversity' posts as opposed to significant systemic and cultural changes. The same may be argued regarding contemporary usages of 'Inclusive Education' or 'Inclusion' when considering the experiences of students with disabilities. One might wish to make links to Booth's (1999) or Robertson's (2012) critiques as explored earlier or Allan's (2010b) where policy and related

forms of practice are used to show one is 'doing inclusion' whilst not actually changing anything at all but furthering experiences of exclusion and practices of 'otherising'.

Social justice studies and literature addressing 'silence' (Ahmed 2012; Freire 1985), 'exclusion' (Allen et al. 2012) and 'hegemony' (Burke 2012; Woolf 1938) provide much for the field of critical 'disability' studies to consider. In particular, their depictions and reflections on how such phenomena become manifest creating gendered, racially defined and/or class determined worlds. Burke (2012, 194), writing about current education practices and their impact upon the inclusion agenda of UK universities in relation to class, 'race' and gender, makes it clear that, without engaging in the matter of hegemony, HE will fail to realise its aims for transformative practices as linked to policy stating: 'Moving towards a transformative discourse of widening participation requires less attention to individual attitudes and much greater attention to the cultures, practices and histories that have greatly benefitted already highly privileged social groups over others'.

What emerges is the argument regarding why we cannot realise equality under the realities and structures of our current education systems. Our schools, colleges, universities, managerial procedures, practitioners, students, and general pedagogic practices stem from a hegemony which sees the world in one specific way – from the gaze and mind of a modernist, male, heterosexual, white, middle-class and able-bodied being, one whose main aim in life as per institutional norms and traditional stake holder expectations, is dressed in the dollar sign. Widening participation (WP), policy and practice, has become the university's answer to inclusion; yet; this discourse is informed by a particular value set; neoliberal, where questions of employability, profit and 'graduateness' become the dominant ways in assessing impact, not questions of social justice or minority group histories (Burke 2012).

Woolf's (1938) feminist critique of power and international conflict's proliferation within our education system and public sphere argues that silence, or perhaps it can be thought of as 'a quietening', becomes the norm for those who do not fit as legitimate insiders. One might consider the plight of conscientious objectors occurring at the time of her writing. More recent social justice studies present a similar scene. Taylor (2012, 1) argues that the failure of current equality legislation is due to its not seeing or understanding where difference exists and how it becomes silenced, stating 'strands of equality and diversity are threatened in a climate of welfare cut-backs, economic crisis and an overhauling higher education system. ... Diversity stories are told despite the reality of unequal opportunities'. Her work and that of others (Allen et al. 2012) engage with the issue of neoliberal values and how related discourses of meritocracy continue to dominate much thinking and practice in our education institutions, thus reinforcing the exclusion of those who do not fit so easily into such frames of reference.

In considering the connected question 'what then does diversity do?', some have noted responses from institutions as couched in silence, a silence embodied by the institutionalised 'diversity' world (Ahmed 2012; Burke 2012). Considering what this world is, Ahmed (2012, 142) proposes that the institution's 'problems and solutions are very much part of the dilemma . . . . the solutions are creating problems by concealing the problems in new ways . . . solutions to problems are the problems given new form'. The link here to 'disability' and frustration with IE is, I propose, found in this distortion of truth, a paradox that lives on happily in silence. The institution's need to see and promote itself as compliant with current legislation and policy; anti-racist, anti-sexist, anti-homophobic, 'inclusive', results in fast-paced, defensive, reactionary

forms of 'diversity' practice. Such practice fails to represent those they endeavour to 'liberate'; it does not listen to or engage with truths or epistemological conflicts as understood and experienced by their 'diverse' populations. Yet, they continue to stand as institutions which, as represented in much of the marketing world of HE, show the university believing in and making effective provision for 'diversity, equality and inclusion'. Ahmed (2012) writes about the 'diversity smile' which exists within our 'diverse' education institutions, likening it to Freidman's image of the happy house-wife. The 'diversity smile' is a packaged product of the institutionalised diversity world and it tells a story, that all is well here in Oz and anyone who thinks differently is in fact the racist, the sexist, the homophobic, the disabilist. One might easily replace the word 'diversity' with 'inclusion', when wearing such a smile openness and ques-tions cannot flourish.

'Disability' has historically been excluded from the discourse of social justice and diversity due to its viewing 'disability' as pathology, taking a medicalised traditional hegemonic perspective (Guillaume 2011; Liasidou 2014). As argued earlier, this results in a crude misrepresented form of 'disability' as something to be normalised via the application of particular teaching methods or technologies, models of inte-gration emerge which serve only to provide square mis-fitting spaces. Keeping the subject of 'disability' out of the multi-dimensional world of social and economic dis-advantage, I argue, results in yet another reductive act upon an already excluded min-ority. Where one might assume that the field of social justice would work as an ally and beneficiary with literature and research on 'disability', its reluctance to engage reinforces 'disability' as an isolated, medicalised and negative individual experience – something to be 'fixed' not something that occurs as a product of various related and socially constructed forms of disadvantage. This paper does not endeavour to cri-tically explore this point further, more to note it as worthy of consideration when one makes the argument that 'disability' fits as an intersection within the 'social justice' field. Yet again, this seems to be a further space where openness and questions do not as yet flourish.

Diversity work focusing on questions of gender, 'race' and social class challenge traditional, technicist discourses of WP and argue for social justice to be the main infor-mant for the development of transformative pedagogical practice (Ahmed 2012; Taylor 2012). Such practice, to be effective and meaningful, aims to de-stabilise, reconceptua-lise and, I would also add, co-create new methods and curriculum content with diverse learner voices. Such an approach will involve inevitable challenges, conflict and messi-ness and ideally no end point but an ongoing evolving redistribution of knowledge and power and, in keeping with this, evolving forms of pedagogical practice, practices that remain influx. On considering transformative practice, Burke (2012, 194) writes of the future as needing

> a long-term, serious and complicated commitment to social justice and equity in higher education. It demands a broad and deep view of the operations of inequality … as well as an understanding that these will always be inextricably connected to social relations and inequalities.

The field of 'disability' needs to visit this point of reference, 'social justice' and engage with complex critical thinking around hegemony, manifestations of 'silence' or 'quie-tening' and exclusion of 'other'. Failure to be inclusive has been explained in terms of simplistic uncritical teaching approaches steeped in medical model views of

'disability', a loss of civic engagement across the institution, and professional exhaustion (Allan 2010a). In addition, I would suggest that 'disability's' exclusion from social justice debates has prevented a richer critique taking place on IE's epistemological conflict and ways in which this becomes manifest and suppressed in our education spaces.

Until engagement is made with experiences of silence and/or 'quietening', as established by hegemony's suppressive ways, education at all levels will continue to allow for unexplored tensions and contradictions. Cultural differences may be experienced, but that moment of being 'other' – where and how difference is experienced – has no voice. The oppressor oppresses whilst the oppressed fight to fit into a 'normal' epistemological frame, resulting in further oppression. What is inflicted upon that which does not slip neatly into our traditional forms is 'A Cycle of Suppression', with silence, 'collective indifference' and an 'inclusion smile' in the centre keeping it spinning. Whatever words are used, what is being referred to is the same, education's proliferation and ongoing practices of exclusion and suppression of 'other'. Attempting to break the cycle by encouraging academics to engage with 'cultures of difference' in relation to students with 'disability', Gibson (2012, 356) argues that they need to take 'a more critical look at their 'students' overall experiences, to see and attempt to understand their different values, attitudes and knowledge'. This links to earlier points on the need to understand that which presents as different or 'other', to dance with the cultures of difference in order to explore the possibilities of a meaningful pedagogy for inclusion.

Social justice advocates and academics have argued that diversity practitioners, at all levels of education, who are committed to and see their work as political, causing upheaval and challenges to the status quo are phenomenological practitioners. Ahmed (2012, 174) in her construction of diversity work as 'phenomenological practice and praxis' argues: 'A norm is how we are immersed in life . . . the phenomenological attitude in reflecting on previous attitudes is thus a new style . . . Husserl argues that such a new attitude is theoretical: it must at least in the first instance be totally unpractical'. This work connects to that of critical 'disability' studies in its assertion that in being unpractical, diversity workers must continue to work against the general flow of things, to see themselves as being first and foremost that which makes clear where the blockages exist and stand firm when most are pushing the other way (Ahmed 2012; Arnot 2010). And so educators who aim to work from a perspective of social justice in relation to 'disability' or any 'other' need to grasp that thistle, the political purpose of and necessary conflict in their work. To see that a way forward will be found in the messiness and challenges of questions, questioning and political discourse with 'other'. The following section presents tentative ideas for a post-rights inclusive pedagogy in HE and in so doing revisits IE's 'conflict' as explored earlier.

Towards a new 'post-rights pedagogy' – the risk of investing in futures

In considering new pedagogy, it is worth making the connection to Slee (2013, 897) and his position on the question, where to from here, that 'investing in futures is indeed a very risky enterprise. Most bankers will tell you this'. Thus, references to post-rights inclusive pedagogical development are at this stage merely embryonic. They serve to raise more questions, encouraging collective reflection and subsequent action than simplistic packaged answers or risky enterprise teaching guides. Doing otherwise merely creates yet another superficial 'inclusion smile', akin to Ahmed's 'diversity smile'.

Whilst acknowledging the important place of rights legislation in the field of 'disability', its actual orchestration as explored, has failed to engage with the complexities

regarding a community, people with 'disability', who have experienced various forms of exclusion and 'otherising'. By working with and learning about the life experiences of people with 'disability', society might be better equipped to understand and respond inclusively. Furthermore, by starting from a platform of questions, seeking dialogue and understanding for social justice, not packaged answers to be 're-' and/or mis-interpreted by colonisers and policy-makers, this may enable a wider social understanding of diverse lives and positions, creating a foundation where cultures of difference take centre stage and from where effective inclusive pedagogic developments may grow.

Considering earlier arguments on missing political links and failed simplistic models of IE, Giroux (2003, 11) argues that any form of education intent on addressing social justice is both 'a moral and political practice'. Genuine forms of inclusive provision must start from this political premise, acknowledging there is and needs to be conflict. Whether that is conflict between cultures as reflected in tensions and uncertainties, between practitioner and policy-maker or played out amongst students in the seminar room, it does not matter. The point is, 'conflict must be' an integral and core ingredient in whatever evolves for future theory, research and practical pedagogic developments surrounding the subject of IE for those who experience 'disability' or for that matter any 'other'.

Thus, IE as political process begins with an engagement in the politics of relationship, where acknowledgment and understanding of 'other' provide a foundation from which to move forward (Rosenthal 2001). Education must allow for difference in order to bring about collective understanding, acceptance and changes to practice and expectations. Until education as a system with cultural norms sees itself for what it is – a stage upon which discrimination continues to play a starring role due to the subtle but very real dominance of one culture over another – it cannot be inclusive, the tensions plus frustrations with and failure of IE for those with disabilities will continue.

So, in sum, I propose that for a HE future that is truly inclusive, there needs to be constant political chatter amongst diverse and 'non-diverse' voices. Chatter evolves to constructive dialogue amongst stakeholders from various levels and backgrounds who see themselves as involved in, or subject to, the work of social justice for those with disabilities. Stakeholders may include: students, vice-chancellors, lecturers, disability assist officers, professors, diversity workers, media officers, local authority policy-makers, researchers and funding bodies, and so on. Previously silenced voices tell their diverse stories and, in so doing, challenge hegemonic power constructs. This fresh political discourse lays the ground upon which cultures of difference can be heard, understood and celebrated; such a vocal cacophony may contribute to a much-needed radical departure for university forms of IE. It might also provide a location for educator civic engagement, where the complex processes of inclusion and exclusion, as noted earlier, can be considered.

Conclusion: a post-rights future for 'disability' and social justice in the university?

This paper has, in problematising IE for disabled students in the context of UK HE and our nation's rights discourse, argued for a way forward by establishing synergy and connection with the international field of social justice and diversity. This dialectical departure may result in significant developments to inclusive pedagogy in a post-rights era where the rights discourse for 'inclusion' has failed. The witnessing of and engaging with hegemony, as understood in social justice literature, provides a space for IE to

acknowledge and engage with 'cultures of difference', which have to date been silenced by our institutions' dominant cultural norms. The matter of how to locate 'disability' as intersectionality within the 'social justice' field has also been raised as an area in need of critical consideration.

It has been suggested that diverse stories must be told, students' diverse identities and their experiences of exclusion listened to such that the between-ness of things, that which materialises and/or is experienced as 'conflict' or 'frustration' with the 'norm', that is, 'other', can be shared. By telling narratives in this way and explaining how or what 'other' is from various perspectives – the traditional and the diverse – a deeper and richer sense of 'knowing other' may be achieved whilst also acknowledging the complexities and difficulties in never fully 'knowing other' (Ellsworth 1989; Irigaray 1996). Space is needed for cultures of difference to be explored, for questions to be asked, political conversations to be held and for educators to reflect on and reaffirm their political and moral commitments to our diverse HE worlds. For a new post-rights inclusive pedagogy to evolve, all who engage with these processes need to remember that the most important task is to continue pushing against the flow.

Notes on contributor

Dr Suanne Gibson is an Associate Professor of Education at Plymouth University where she leads the BA Education Studies degree. Suanne is a National Teaching and an International Scholar with the Higher Education Academy.

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