

## Disability: Between Mobility and Organisational Inclusion

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### Abstract

Various charters of rights in Western society recognise a specific right to mobility, but it may actually be difficult to travel freely for some citizens. Indeed, people with disabilities often encounter technical or organisational problems that prevent them from enjoying this right. We believe that ensuring mobility is fundamental for the organisational inclusion of people with disabilities. Since the early 1990s, many legislative provisions have been drafted to create and improve travel possibilities for people with disabilities in Italy. Therefore, after thirty years, it is legitimate to investigate the state of the arts of such provisions nowadays. Thus, the following paper carries out a specific study of the functioning of transport systems from the point of view of people with disabilities so as to explore the possibilities of improvements. Furthermore, this study evaluates if further interventions are necessary regarding the legislative framework and, above all, the actual possibilities of mobility offered by transport systems, beginning with the railroad, which first, in the 1980s, started to offer specific services for people with disabilities.

### 1. Introduction

In art. 13 of the Universal Declaration of Human Rights, a specific right to mobility is established:

Everyone has the right to freedom of movement and residence within the borders of each state.

Similarly, in art. 45, the Charter of Fundamental Rights of the European Union states that:

Every citizen of the Union has the right to move and reside freely within the territory of the Member States.

Freedom of movement and residence may be granted, in accordance with the Treaties, to nationals of third countries legally resident in the territory of a Member State.

Various constitutions of the major Western countries indeed recognise the right to mobility; one of them is the Italian Constitution, which recalls this right in art. 16:

Every citizen may move and reside freely in any part of the national territory, within the general limits established by law for reasons of public health or security. In no case shall a restriction be established for political reasons.

Every citizen has the right to leave the territory of the Republic and to re-enter it, provided the obligations of law are respected.<sup>1</sup>

In contemporary Western society, the possibility of moving is a central element in the life of many human beings: we have all realised how much the freedom to move is taken for granted in our lives when, due to the health crisis caused by COVID-19 over the last years, this faculty has been drastically reduced. According to Zygmunt Bauman (1998: 2):

Mobility climbs to the rank of the uppermost among the coveted values – and the freedom to move, perpetually a scarce and unequally distributed commodity, fast becomes the main stratifying factor of our late-modern or postmodern times.

Even in more ordinary conditions than those related to the pandemic, there are situations in which the right to travel may be subject to formal limitations. This is, for instance, the case of provisions by judicial authorities, or even substantial ones, as in cases of inadequate functioning of transport systems. The latter is causing issues to that part of society at the very centre of this work. Indeed, despite having the right to move freely, people with disabilities often face technical or organisational problems that prevent them from enjoying this right. Therefore, the main aim of this study is to provide potential research opportunities related to the possibilities of movement for people with disabilities, with a specific focus on the Italian public transport system.

## 2. Mobility for people with disabilities: towards full inclusion

Over the years, Italian legislators have drawn up several provisions regarding means of transportation for people with disabilities. However, since the aim of this investigation is not that of analysing them in detail but, rather, providing an overview of the issues linked to this topic, this section opens with reference to Italian art. 17, law 118/71, which states that “public transport services and in particular trams and subways must be accessible to non-walking disabled”.<sup>2</sup>

Subsequently, further regulations were issued so as to further detail the necessary interventions in specific areas of the Italian social context. Among these, law 21/92, “Framework Law for the transport of persons by means of non-scheduled public services”, can be mentioned, which determines that taxi and chauffeur services should be accessible to all people with disabilities (art. 14, paragraph 1) and a portion of the vehicles has to be specifically equipped for this purpose (paragraph 2).

The subsequent art. 26, law 104/92 states that:

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<sup>1</sup> The translation of art. 16 of the Italian Constitution is taken from Peaslee (1956: 484).

<sup>2</sup> When not specified and when necessary, all the regulations, directives, laws and decrees cited in this paper have been translated by the author.

1. The regions regulate the ways in which the municipalities arrange interventions to allow handicapped people the possibility of moving freely on the territory, using, under the same conditions as other citizens, specially adapted collective transport or alternative services.
2. Municipalities ensure, within their ordinary budgetary resources, individual modes of transport for handicapped persons unable to use public transport.

Furthermore, D.P.R. (i.e., Decree of the Italian President of the Republic) 503/96 prescribes some specific technical measures so that the transport networks on road, rail and rope have suitable characteristics to transport people with disabilities for both rolling stock and stations.

Finally, after signing it in 2007, in 2009, Italy ratified the United Nations Convention on the Rights of Persons with Disabilities, which recognises the right of “Living independently and being included in the community” (art. 17), and the right to “Personal mobility” (art. 20). It is important to emphasise that these last two notions are strongly intertwined: it is challenging to conceive an independent life and achieve full inclusion without personal mobility’s concrete and constant availability.

Therefore, it is now necessary to review the contemporary legislative landscape by focusing not so much on the formal level of legislative provisions but, rather, on the actual possibility for people with disabilities to enjoy the right to personal mobility.

It has been almost thirty years since the approval of law 104 /92, a significant extent of commitment on behalf of the Italian government towards people with disabilities. Therefore, a better understanding of what means are available in the transport system for people with disabilities may highlight the opportunities for improvement. First, however, it is necessary to clarify that the needs of people with disabilities should not be seen only from a medical viewpoint. Indeed, in aiming to achieve actual and complete forms of inclusion for this category of individuals, it is clear that this concept takes on a broader meaning.

Before further proceeding, it is also crucial to highlight the implications in our use of the terms *disability* and *inclusion*, two essential concepts for the purpose of this work. Firstly, a summary of the changes in the reflection about the concept of disability will be introduced. Starting from the aftermath of World War II, the so-called *medical model*, according to which disability pertains to the domain of physiological or psychological problems, has prevailed. According to this model, these issues require a medical intervention to restore physical well-being or, at least, contain the ‘illness’. In this view, which puts the focus on the single individual, the concept of disability struggles to find an epistemological autonomy with respect to those of impairment and disease.

Subsequently, starting from the 1960s, a different approach emerged, denominated a *social model* towards disability. According to it, disability should be regarded as a disadvantage determined by the physical or social environment where the person with disabilities does not find full development. Here, the concept of disability merges with that of social hardship.

From the 1980s onwards, in an attempt to overcome these two opposing deterministic views, an approach to reconcile them was developed. We will refer to it as a *bio-psycho-social model*, which aims to frame the person with disabilities in the different aspects in which the phenomenon of disability emerges. Therefore, this approach recognises disability not only as a mere physiological or psychological peculiarity, nor as a framework that is attributed from the outside: it is a condition that emerges in the relationship between the person, an existing

entity living in a particular socio-cultural context, and the outside environment in which they carry out their activities. This relationship needs to be understood both physically and socially (Di Santo, 2013: 19–21). Therefore, the key aspect of such an approach is not conceiving disability in binary terms, such as presence or absence, but how people with disabilities experience limitations in their lives (Danfort and Rhodes, 1997).

With regard to inclusion, however, it is appropriate to refer to the insights provided by Luigi Maria Sicca, who proposes a particular interpretation of this concept for organisational inclusion (Sicca, 2016; Nolfe and Sicca, 2020). More specifically, according to Sicca (2016: 30):

Inclusion is a form of ex-marginalization in three ways. That is: (a) a way to get out of confinement at the margins; (b) however starting from the margins in such a way that (c) the margins are exceeded and therefore become *ex*.

With this reflection in mind, it is necessary to overcome the traditional logic of integration, based on a framework established by whoever is at the *centre*, controlling the governance of current practices, which requires those who are *outside* to modify themselves in order to be *integrated*. On the other hand, inclusion is a dialectical process in which a reorganisation is carried out to remove the causes of exclusion (Sicca, 2016).

We will return shortly to the importance of maintaining this approach in the study we propose. However, for the time being, in order to try and find an answer to the issues at the very heart of this investigation, it is crucial to regard the field of transport as a strategic context within which it is necessary to remove given limitations so as to reach the full integration of people with disabilities. In this sense, it should not be overlooked that, as emerged from the aforementioned Convention, the concept of independence comes into play with particular significance. Therefore, it is fair to ask whether the technical and organisational tools that transport structures make available to people with disabilities are actually suitable for achieving their autonomous mobility.

For this analysis, the following study considers it appropriate to look first at the most significant public transport structure in Italy: the railway network. The leading Italian railway group, Ferrovie dello Stato, has been a protagonist in numerous moments in the country's history (Maggi, 2003) and is now one of the most innovative and most successful Italian companies in obtaining foreign contracts. It is not the purpose of this paper to carry out a reconstruction of the history of railways in Italy. However, it is clear that, as far as inclusion processes are concerned, the train system plays a key role. Due to the speed it can reach and its capillarity throughout the territory, as also testified by the levels of passenger traffic, the railway is definitely the backbone of Italian public transport.

This is not surprising: various authors have highlighted the fundamental role of rail transport at a global level in the social and organisational processes of modernity, starting as early as the 19<sup>th</sup> century. The spread of the Second Industrial Revolution beyond Britain, the transformation of medieval cities into modern metropolises, and Western societies' geopolitical domination would not be imaginable without the development of an intricate railway system (Hobsbawm, 1987; Wolmar, 2009). Moreover, the acceleration of the speed of displacement has helped to redefine the perception of the world by human beings (Schivelbusch, 1977), in a process which is brilliantly represented in Thomas Mann's *Der Zauberberg* (1924), and to make the experience of travel available for the broad masses.

However, attention to the specific needs of people with disabilities in this field has developed, at least in Italy, only in recent years. Ferrovie dello Stato (i.e., the Italian State Railways) have indeed begun to deal with the accessibility of its own means of transportation for people with disabilities in the late 1980s. Since 1988, with the implementation of specific carriages, the railroad company has activated a specific service on *Intercity* trains, the express category trains of the time. Subsequently, in accordance with the aforementioned law provisions, in the mid-1990s, Trenitalia (i.e., the new name of the division of the FS Group currently active in this field) has extended this service to all categories of passenger rail transport it operates. Therefore, even those with motor disabilities can theoretically move throughout the national territory without limitations; this is not always the case in practice.

Indeed, as John Urry (2007: 12-13) has pointed out, the concept of mobility has various meanings but always presupposes systems that make mobility possible. We are mainly interested here in the meaning of mobility as a possibility of displacement; this implies a system built on the basis of the intersection of different subsystems (e.g., railways, bus lines, and other means of public transportation). It is precisely in these intersections that often obstacles and inefficiencies emerge, and these can become insurmountable for people with disabilities or for other individuals belonging to specific minorities, exposing them to further risks (Urry, 2007: 119-120).

Therefore, as Urry (2007) underlines, the question of access to means of transportation should consider and/or imply not only physical access, but also the time availability or, rather, the period in which the services are active, and the ways in which the paths are configured. Indeed, the characteristics of the service, including the routes, are often calibrated to the general needs, which risks not taking adequately into account the needs of some specific parts of the population (Urry, 2007: 191-193).

Therefore, the possibility of moving independently, albeit formally protected, may not be fully guaranteed for given groups of individuals, including those with disabilities. Thus, a relevant contradiction seems to emerge. As can be seen from the first part of this brief analysis, there is a rather significant difference between transport and mobility: the first, from the point of view of the person, is a passive dimension (one *is transported*); the second is an active faculty (one *moves*). The impediment of mobility constitutes great harm to a person. Indeed, travelling independently is by no means a secondary issue: in our society, the ability to master one's body, the way of presenting and utilising it, is fundamental for social interaction (Kelly and Field, 1996). Clearly, this matter deeply affects people with physical or motor disabilities: ensuring autonomous mobility means fighting the risk of self-exclusion for these individuals and working for concrete social inclusion. With the concept of inclusion that we have previously defined in mind, it is easy to identify in people with disabilities those who are on the margins, whose gaze is necessary for rethinking the frame. Therefore, it is necessary to turn to them to consider their perception in relation to mobility.

Hence, further research on these matters may be regarded as urgent. In an era in which information and communication technologies have made it possible to build prostheses that allow anyone to see the world without moving from home, in order to travel, people with disabilities accept to endure great difficulties. The study of inclusion must start from a dialogue on their desires, needs for movement, and experiences with the current transport systems, beginning with a field analysis that questions them directly. As Wilhelm Schapp (1985) maintains, people are always entangled in stories: it is from these stories that a greater understanding of the world can emerge. A narrative approach may thus prove to be the most

suitable for this study. As Boncori and Sicca (in Czarniawska, 2018: 262) underline at the end of the Italian edition of *Narrative in Social Science Research*:

[...] in studies and organisational practices, narration allows the understanding of spheres of existence that are often kept separate and that, in the future, it will be increasingly necessary to connect in the construction of our containers.<sup>3</sup>

A sequence of discursive interviews (Cardano, 2011) can be helpful to begin the exploration of this topic from the point of view of individuals with disabilities. However, the proposed approach to the analysis of such matters can be regarded as just a first step to evaluate any further research needed depending on the results underlined from the investigation of these interviews.

### 3. Conclusions

A more detailed understanding of the elements and relationships that we have here synthetically mentioned is strategic in order to actually ensure mobility and make a leap from simple transport opportunities for people with disabilities to inclusion. This does not only mean being able to take tangible steps towards full inclusion of these people in the social and organisational structure of the community: it is a necessity for concretely pursuing the full development of each person. Moving is an even more important choice than in the past in the era of COVID-19, which has shown that remote meetings can replace displacements in more circumstances than we thought. Nevertheless, human beings continue to want to travel: it cannot be a coincidence.

#### Keywords:

disability; organisational inclusion; transport; mobility

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<sup>3</sup> Translation provided by the author of this paper.

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