

# Disability: Between Mobility and Organizational Inclusion

LORENZO FATTORI

Lorenzofattori88@unina.it

*University of Naples Federico II*

## Abstract

Various charters of rights in Western world recognize a specific right to mobility, but for some citizens it may actually be difficult to travel freely. People with disabilities, in fact, often encounter technical or organizational problems that prevent them to enjoy this right.

We believe that ensuring mobility is fundamental for organizational inclusion of people with disabilities. Since the early 1990s, in Italy, many legislative provisions have been drafted to improve the possibilities of travel for people with disabilities; we think that is legitimate, after thirty years, to ask at what point we are today.

We therefore propose to carry out a specific study of the functioning of transport systems from the point of view of these people, to explore the possibilities of improvements.

We propose this study to evaluate if further interventions are necessary, regarding not only the legislative framework but also, above all, the actual possibilities of mobility offered by transport systems, beginning with the railroad, which first, in the 1980s, began to offer specific services for people with disabilities.

## 1. Introduction

In Article 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, the Charter of Fundamental Rights of the European Union, in Article 45, 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 recognize indeed the right to mobility; one of them is the Italian Constitution, which recalls this right in article 16:

Every citizen can move and reside freely in any part of the national territory, except for the limitations that the law generally establishes for reasons of health or safety. No restrictions can be determined for political reasons.

Every citizen is free to leave and re-enter the territory of the Republic, subject to legal obligations.

In contemporary Western society, the possibility of moving is a central element in the life of many human beings: we have all realized 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 year this faculty has been drastically reduced. According to Zygmunt Bauman,

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 (1998: 2).

Even in much more ordinary conditions than those related to the pandemic, there are situations in which the right to travel may be subject to formal limitations, for example due to provisions by the judicial authority, or even substantial ones, as may occur in cases of inadequate functioning of transport systems. The latter is the one cause most affecting the part of society we focus on in this work: people with disabilities, in fact, despite having the right to move freely, often encounter technical or organizational problems that prevent them to enjoy this right.

The aim of this work is to suggest potential research opportunities regarding the possibilities of movement for people with disabilities, with specific regard to public transport in Italy.

## 2. Mobility for People with Disabilities: Towards full inclusion

Over the years, Italian legislators have drawn up several provisions regarding the transport of people with disabilities. Since the aim of this text is not to analyze them in detail, we limit ourselves to a brief reconnaissance, starting from article 17 of law 118/71, which states that "public transport services and in particular trams and subways must be accessible to non-walking disabled".

Subsequently, further regulations intervened to detail the necessary interventions in specific fields. Among these, Law 21/92, "Framework Law for the transport of persons by means of non-scheduled public services", determines that taxi and chauffeur services should be accessible to all people with disabilities (Article 14, paragraph 1) and a portion of the vehicles has to be specifically equipped for this purpose (paragraph 2).

The subsequent Article 26 of Law 104/92 states that:

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, DPR (President of Republic's Decree) 503/96 prescribes some specific technical measures so that the transport networks on road, rail and rope have suitable characteristics for transporting 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 recognizes the right of "Living independently and being included in the community" (art. 17), and the right to "Personal mobility" (art. 20).

We emphasize that these last two concepts are strongly connected: it is very difficult to conceive an independent life and full inclusion without the concrete and constant availability of personal mobility.

It is therefore legitimate to ask at what point we are today.

We should answer this question not so much on the formal level of legislative provisions, but on that of the real possibility for people with disabilities to enjoy the right to personal mobility.

It has been almost thirty years since the approval of L. 104 /92, a deep assumption of commitment from the Italian State towards people with disabilities. A better understanding of what means are available in transport systems for people with disabilities may therefore be useful to highlight the opportunities for improvement.

First, we have to clarify that the needs of people with disabilities should not be seen only from a medical standpoint: assuming the goal of a real and complete inclusion of this category, it is clear that this concept takes on a broader meaning.

Before further proceeding, we also need to highlight the implications in our use of *disability* and *inclusion*, two essential concepts for the purposes of this work.

First, we will propose a brief summary of the changes in the reflection about the concept of disability. Starting from the aftermath of the Second World War, the so-called *medical model*, according to which disability pertains to the domain of physiological or psychological problems, has prevailed; according to this model, those problems require a medical intervention to restore physical well-being or, at least, to contain illness. In this model, 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 in the 1960s, a different approach emerged, denominated as *social model*, which considers disability a disadvantage determined by the physical or social environment in which, according to this vision, the person with disabilities does not find full development. Here, the concept of disability coincides with that of social hardship.

From the 1980s onwards, in an attempt to overcome these two opposing determinisms, an approach trying to reconcile them was developed. We call this one 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 vision recognizes 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 within a certain socio-cultural context, and the outside environment in which they carry out their action. This relationship needs to be understood both physically and socially (Di Santo, 2013: 19 -21).

So, the central aspect is not conceiving disability in binary terms, such as presence or absence, but how the people with disabilities experience limitations in their life (Danfort and Rhodes, 1997).

With regard to inclusion, however, we consider it appropriate to refer to the reflection of Luigi Maria Sicca, who proposed a particular interpretation of this concept for the purposes of organizational inclusion (Sicca, 2016; Nolfè and Sicca, 2020). Specifically, according to Sicca,

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* (ivi: 30).

With this reflection, we want to indicate an overcoming of the traditional logic of integration, based on a framework established by whoever is at the *center*, controlling the governance of current practices, which requires those who are *outside* to modify themselves in order to be

*integrated*. Inclusion, on the other hand, is a dialectical process in which a reorganization is carried out aimed at removing the causes of exclusion (ibid.).

We will return shortly to the importance of maintaining this approach in the study we are going to propose.

For now, in order to try to answer the question we asked previously, we consider it particularly interesting to investigate the field of transport, as a context within which the need to remove the limitations to the full integration of people with disabilities is strategic.

About this, we cannot overlook that, as emerges from the aforementioned Convention, the concept of independence comes into play with particular force: it is fair to ask whether the technical and organizational tools that transport structures make available to people with disabilities are actually suitable for achieving their autonomous mobility.

For this analysis, we consider it appropriate to look first at what is the most significant public transport structure in Italy: the railway network. The main Italian railway group, Ferrovie dello Stato, has been a protagonist in numerous moments in the history of the country (Maggi, 2003), and is now one of the most innovative and most successful Italian companies in obtaining foreign contracts.

We are not interested here in carrying out a reconstruction of the history of railways in Italy; but it is clear that, as far as the inclusion processes are concerned, the train has a great degree of centrality. Due to the speed of movement, 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 on several occasions the fundamental role played at a global level by rail transport in the social and organizational processes of modernity, starting as early as the nineteenth century. The spread of the second industrial revolution beyond Britain, the transformation of medieval cities into modern metropolises and the geopolitical domination of the West would not be imaginable without the development of the railway (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 great 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, the Italian State Railways, have in fact begun to deal with the accessibility of its own means for persons with disabilities in the late 1980s: since 1988, with the implementation of specific carriages, the railroad company had in fact 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-nineties, Trenitalia (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 are theoretically able to move throughout the national territory without limitations; in practice, this is not always the case.

Indeed, as John Urry has pointed out, the concept of mobility has various meanings, but always presupposes systems that make mobility possible (2007: 12-13).

We are mainly interested here in the meaning of mobility as a possibility of displacement; this implies a system built by the intersection of different subsystems (e.g. railways, bus lines, and other means of public transport). It is precisely in these intersections, that often obstacles and inefficiencies emerge, and those can become insurmountable for people with disabilities or other characteristics, such as belonging to minorities, which expose them to risks (ibid.: 119-120).

Therefore, as Urry underlines, the question of access to transport should consider/ imply not only physical access, but also the time availability, or rather the period in which the services are active, and the way in which the paths are configured. 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 (ibid.: 191-193).

Therefore, the possibility of moving independently, albeit formally protected, may in fact not be fully guaranteed for various subjects, 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 a great harm to a person. In fact, travelling independently is by no means a secondary issue: in our society, the ability of mastering one's body, the way of presenting and utilizing it, is fundamental for social interaction (Kelly and Field, 1996). Clearly, this theme deeply touches the condition of people with physical or motor disabilities; ensuring autonomous mobility means both fighting the risk of self-exclusion on the part of these people, and working for concrete social inclusion.

With the concept of inclusion that we examined previously 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: it is therefore necessary to turn to them, so to consider their perception in relation to the question of mobility.

A further study on this issue therefore proves 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, their needs for movement and their experiences with current transport systems, starting with a field study that questions them directly; people, wrote Wilhelm Schapp, are always entangled in stories (1985): 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 underline at the end of the Italian edition of *Narrative in Social Science Research* (Czarniawska, 2018),

narration, in studies and organizational practices, allows us to understand 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>1</sup> (ibid.: 262).

A sequence of discursive interviews (Cardano, 2011) can be useful to begin the exploration of this topic from the point of view of individuals with disabilities. We intend the proposed study, just as a first step to evaluate any further research needs depending on its results.

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<sup>1</sup> Translation of the author.

### 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 the leap from simple transport opportunities for people with disabilities. This, in reality, does not only mean being able to take real steps towards a full inclusion of these people in the social and organizational structure of the community: it is a necessity for concretely pursuing the full development of each person.

Moving is an even more significant 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. Yet human beings continue to want to travel: it cannot be a coincidence.

#### Keywords

Disability; organizational inclusion; transport; mobility.

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