

Review Article

Under Blue Skies:

The Social Construction of Intellectual Disability in Western Australia

by Errol Cocks, Charlie Fox, Mark Brogan and Michael Lee

(Centre for Disability Research and Development,

Faculty of Health and Human Services, Edith Cowan University, Perth 1997)

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Under Blue Skies is a welcome edition to the limited literature documenting the lives of people with disabilities in Australia. Informed by the social model of disability *Under Blue Skies* is, as its subtitle suggests, an analysis of the social construction of intellectual disability in Western Australia. *Under Blue Skies* places human rights and law, alongside other social theories and movements, in the context of the lives of people with disabilities in Western Australia. While the book focuses on the particular situation of people with intellectual disabilities in Western Australia, their position is contrasted in passing with those of people with intellectual disabilities in other parts of Australia and reference is made to the influence of theories and movements in Europe and the USA.

Under Blue Skies traces the history of intellectual disability in Western Australia from the first settlement until the early 1990s. In the foreword the editors state that it was conceived as a social history project, in which "for the first time, an attempt would be made to document the lives of people with intellectual disabilities in Western Australia."² In the event *Under Blue Skies*, the final product of this project, is limited to a history of public sector programmes for people with intellectual disabilities; an outline of the development of the law as it affects people with intellectual disabilities; the history of professional involvement with people with intellectual disabilities; and an explication of the discourses of disability. There are some obvious omissions from the project (which are acknowledged by the editors). These include: the history of private sector services, the history of special education in Western Australia; any discussion of State intervention in employment of people with intellectual disabilities; and any more than a passing reference to the role of the Commonwealth in the lives of people with intellectual disabilities. The book also omits any

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2 Cocks et al, vii.

discussion of the profound changes in the nature of public policy and service provision which occurred in the mid-1990s.

Under Blue Skies engages in the discourse(s) of disability, thereby contributing to the contemporary debates around the social model of disability. The social construction of disability is a constant theme of the book beginning with the historical conflation of intellectual disability with mental illness, the pervasive influence of eugenics, the movement for institutionalisation in the 19th century and the consignment of "incurables" (as people with intellectual disabilities were often termed) to the back wards of those institutions. The chapters by Norman Megahey Christina Gillgren detail the history of institutionalisation in WA — including a picture of early colonial life in the State through to the mid 20th century. Focusing firstly on the Freemantle Asylum and then the Claremont Hospital the reader is presented with a view of the bleak life of those consigned to these institutions, in some cases from a very early age, through the use of case studies. Of particular interest to those concerned with the human rights of people with disabilities is the brief period of reform in the latter part of the 19th century with resonances for the movement for full inclusion of people with disabilities today.

The history of public sector care is concluded in Chapter 3 by Leonie Stefla, "Normalisation and Beyond, Public Sector Residential Care 1965–1990". In this chapter the reader is introduced to the principles of normalisation and the immensely influential social role valorisation theory of Wolf Wolfensberger which revolutionised service delivery for people with disabilities. The process of deinstitutionalisation in Western Australia is documented in this chapter, as is the emergence of separate facilities for people with intellectual disabilities. Chapters 2 and 3 also trace the emergence and influence of parent advocacy in the development of separate services for people with intellectual disabilities, again echoing movements in other parts of Australia and the Western world.

Throughout the first three chapters reference is made to legislative enactments which affected the lives of people with intellectual disabilities. Chapters 4 and 5 outline the role of law and the legal system in the lives of people with intellectual disabilities. In "The Response of the Law to Intellectual Disability in Western Australia 1829 – 1993" Moira Rayner and Judith Cockram trace the history of legal regulation of the lives of people with disabilities from the time of colonisation of Western Australia. This chapter, which is principally concerned with the civil jurisdiction, includes a brief description of the Royal Prerogative and the wardship jurisdiction which were incorporated into colonial law from British law when the colony was first formed. The authors recognise the limited and ad hoc role law has played in the lives of people with disabilities at least until recent times. They explain that any systematic approach

has only really been possible since the establishment of statutory law reform agencies. While recognising that law, and particularly legislation are important "in bringing recognition to intellectual disability by defining it as a distinct concept of the law ..."³

Raynor and Cockram argue that the law's role has been largely limited to describing a pre-existing human condition. Again they recognise that the conflicting definitions in various statutes reflect both different legislative intentions and different, and often conflicting, social values. They call for a uniform legal definition of intellectual disability while recognising the importance of a range of definitions being available for other professional discourses of disability. While it is important to recognise that law has a limited role in the lives of people with disabilities, that role is more than a mere reflection of societal values. Law is itself discursive; legal definitions and legal rights may enable or disable people. Law may itself contribute to the social construction of disability. This point is perhaps illustrated by the case studies in the chapter by Guy Hall and Jillian Bavin-Mizzi.

The chapters by Kylie Carman-Brown and Charlie Fox, and by Norman Megahy describe the history of the professionalisation of service provision for people with intellectual disabilities and trace the movement from the medical model of disability through the developmental model to the social model as a basis for understanding disability. As in the earlier chapters the spectre of eugenics and the influence of that social movement on the lives of people with disabilities is raised and the role of IQ testing in defining intellectual disability is analysed.

The discourses of disability and the insights of the social model of disability are brought together for examination in the final chapter, "Discourses of Disability". In terms which are accessible across disciplines Errol Cocks and Matthew Allen consider the history of intellectual disability as an history of language, knowledge and power, contributing to our understanding of the social construction of intellectual disability and the marginalisation and fragile position of people with intellectual disabilities. This chapter is an important addition to the growing literature on the social construction of disability.

Under Blue Skies places human rights and law alongside other social movements and theories in the context of the lives of people with disabilities in Western Australia. This book will be of interest to anyone with an interest in the lives of people with disabilities. It is particularly useful to people working with people with disabilities and to those who seek to promote the human rights and the legal rights of people

3 At 137.

with disabilities. Although the book documents the social construction of intellectual disability in one State, Western Australia, the analysis and understanding of intellectual disability extends far beyond the narrow confines of that State. At a time when services to people with intellectual disabilities are under further threat, when the viability of the Human Rights and Equal Opportunity Commission is under threat, *Under Blue Skies* is a timely reminder of the fragility of the hard won gains of the last 30 years for people with disabilities. ●