

Disability and Violence: multiple oppressions, intersectional readings

DECIDE – Disability and self-determination: the challenge of Independent Living in Portugal

REF. PTDC/IVC-SOC/6484/2014 - POCI-01-0145-FEDER-016803



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Cofinanciado por:



This paper:

1. Concepts and data collection strategies
2. Disability discrimination and violence against disabled people in Portugal
3. Multiple oppressions and the need for intersectional understandings
4. Conclusions

1. Data collection strategies:

Media reports

- Data is very scarce
- collection and analysis of media reports from newspaper *Correio da Manhã* (2002 – 2012)
- 274 cases of violence against disabled people

Focus Groups

- **Focus groups with disability NGOs and activists**
- **15 focus groups across the country (NUTS 2: North (Bragança, Porto - 2); Center (Coimbra, Castelo Branco, Guarda e Viseu); Lisbon metropolitan area (2), Alentejo (Évora), Algarve (Faro - 2), Autonomous region of Açores (Ponta Delgada) e Autonomous region of Madeira (Funchal).**

On-line questionnaire

- Assess incidence of discrimination and violence against disabled people (392 people)

Semi-structured interviews

- Collect disabled people's experiences of discrimination and violence

1. Concepts

Discrimination

- Any intentional or negligent action, or lack of action, that violates the principle of equality between citizens, in these case that treats disabled people less favourably or that puts disabled people in disadvantage when compared with non-disabled people.

Adapted from **Law 46/2006, 28/08/2006** (Articles 3 and 4)

1. Concepts

Violence

- The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation.

World Health Organization, 2002: 5

2. Disability discrimination and violence against disabled people in Portugal

Analysis of media reports (2002-2012)

274
cases of
violence
against
disabled
people

- 70% victims are females; Most of the victims have less than 20 years old and the majority have less than 40 years old;
- 47% have a cognitive impairment (followed by motor impairment – 14%);
- Rape amounts for 32% of crimes, 18% sexual abuse, 18% physical assault;
- Comparative gender analysis by type of crime reveals that disabled women are overrepresented in rape, sexual abuse, rape attempt and physical assault, whereas disabled men are overrepresented in verbal assault, kidnapping, confinement, bullying, robbery and fraud;
- Perpetrators: 90 % of perpetrators are males; 32% are family members; 23% are strangers, 12% are staff members of institutions, 10% members of the community, 8% neighbours;
- Crimes committed: 52% occurred only once, 48% across time.

2. Disability discrimination and violence against disabled people in Portugal

Focus Groups (2017)

15 focus
groups

- Reported mostly **institutional discrimination**, i.e. lack of services, lack of access to existing services, lack of accessibility of public buildings where services are located;
- **Attitudinal barriers** emerge as the **main motive for the persistence of disability discrimination** in the different areas of the country, i.e. paternalistic and disrespectful attitudes, diminishing and depreciative language, lack of awareness;
- **Violence against disabled people** is less reported and emerges mostly in the focus groups conducted in **interior areas of the country**.
- The violence reported is **mostly physical and sexual** (rape) and is associated by those reporting it with **families with low income and/or with alcoholism**.
- Another form of violence committed against disabled women with cognitive impairments reported was **forced sterilization** (Laparoscopic tubal ligation), this form of violence appears as independent of socioeconomic and/or cultural background.

2. Disability discrimination and violence against disabled people in Portugal

Focus Groups (2017)

institutional
discrimination

- “This year, last september, by the beginning of the academic year, a father knocked on our door, because he has two twins, one disabled, and the other without any impairment, and he in Jun or July went to register them in the ATL [Occupation Activities for Kids after school time]. The children were just entering the 1st year of school and he registered them for the ATL. Right?! They accepted them for the ATL, but by the end of the first day of ATL, also the first day of school, when the father by the end of the day arrived to pick them up from the ATL, the institution told him ‘Mary [fictional name of one kid] can stay with us in the ATL, but Samuel [fictional name of the other kid] cannot because of his disability’. And then he knocked on our door asking if we would accept his sun.”

GF-0-0-13-2017 (page 34, lines 22-31)

2. Disability discrimination and violence against disabled people in Portugal

On-line questionnaire (2017)

392
answers

- **68%** of respondents (268 people) declare to have been **discriminated against** based on their disabled status;
- **19%** of respondents (73 people) declare to have been **victims of violence**;

2. Disability discrimination and violence against disabled people in Portugal

On-line questionnaire (2017)

68%
discriminated
against

- Independent of respondent's gender (47,4% of women);
- But dependent on age, number of impairments, employment status and income.;
- People discriminated against are on average younger (43 Vs 50 years); have a higher number of forms of impairment (1,60 Vs 1,17 number of impairments); have a lower income (€689,36 Vs €1.085,54) and are overrepresented within those unemployed (18% Vs 6%).

2. Disability discrimination and violence against disabled people in Portugal

On-line questionnaire (2017)

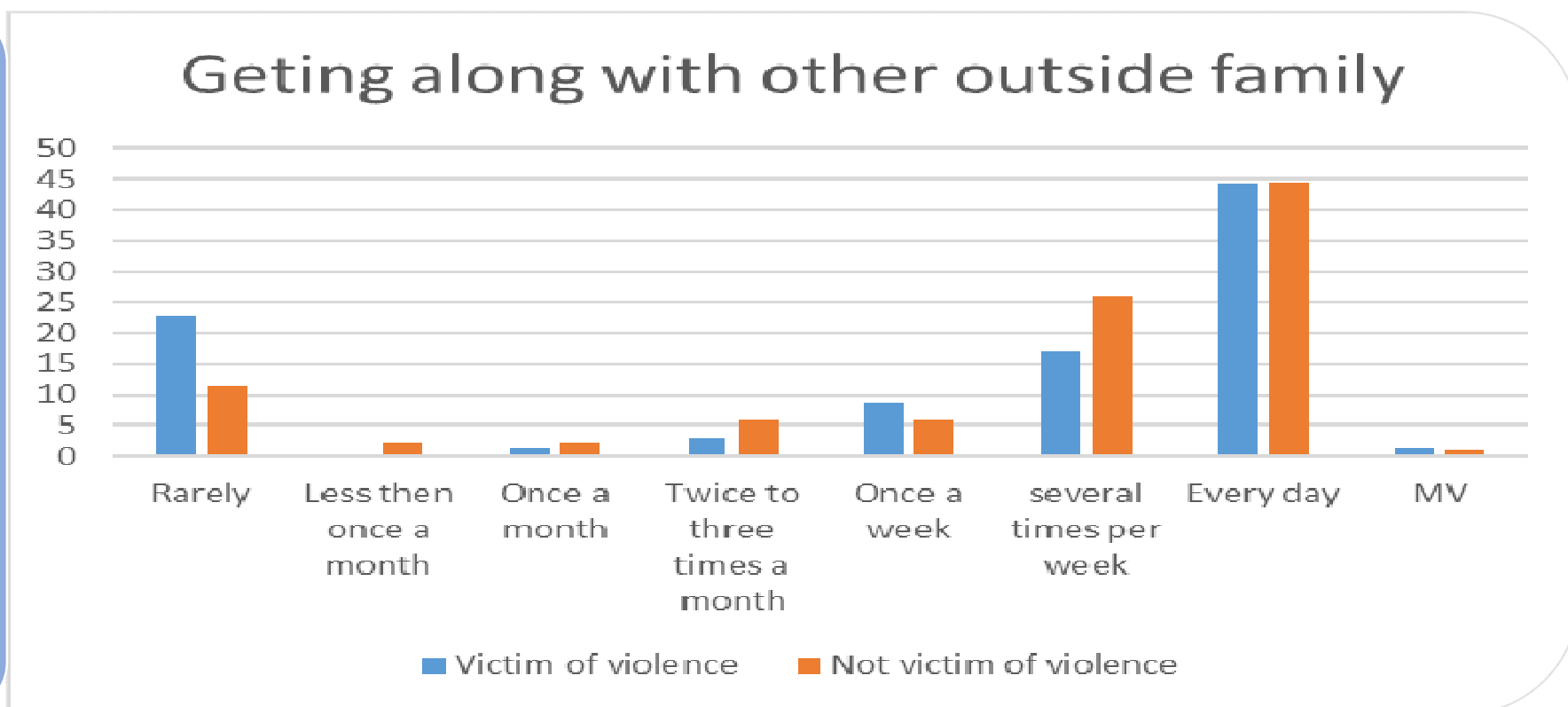
19% victims of
violence

- Violence emerges as independent of any other variable except income;
- Despite not being statistically significant, data shows that 25% of victims have less than 34 years old and 50% less than 42 years old;
- There is no overrepresentation of victims of violence within people with lower income and from families of lower income.
- Victims of violence declare feeling frequently more depressed, less satisfied with the opportunities to socialize with peers and report getting along with other people outside family less frequently

2. Disability discrimination and violence against disabled people in Portugal

On-line questionnaire (2017)

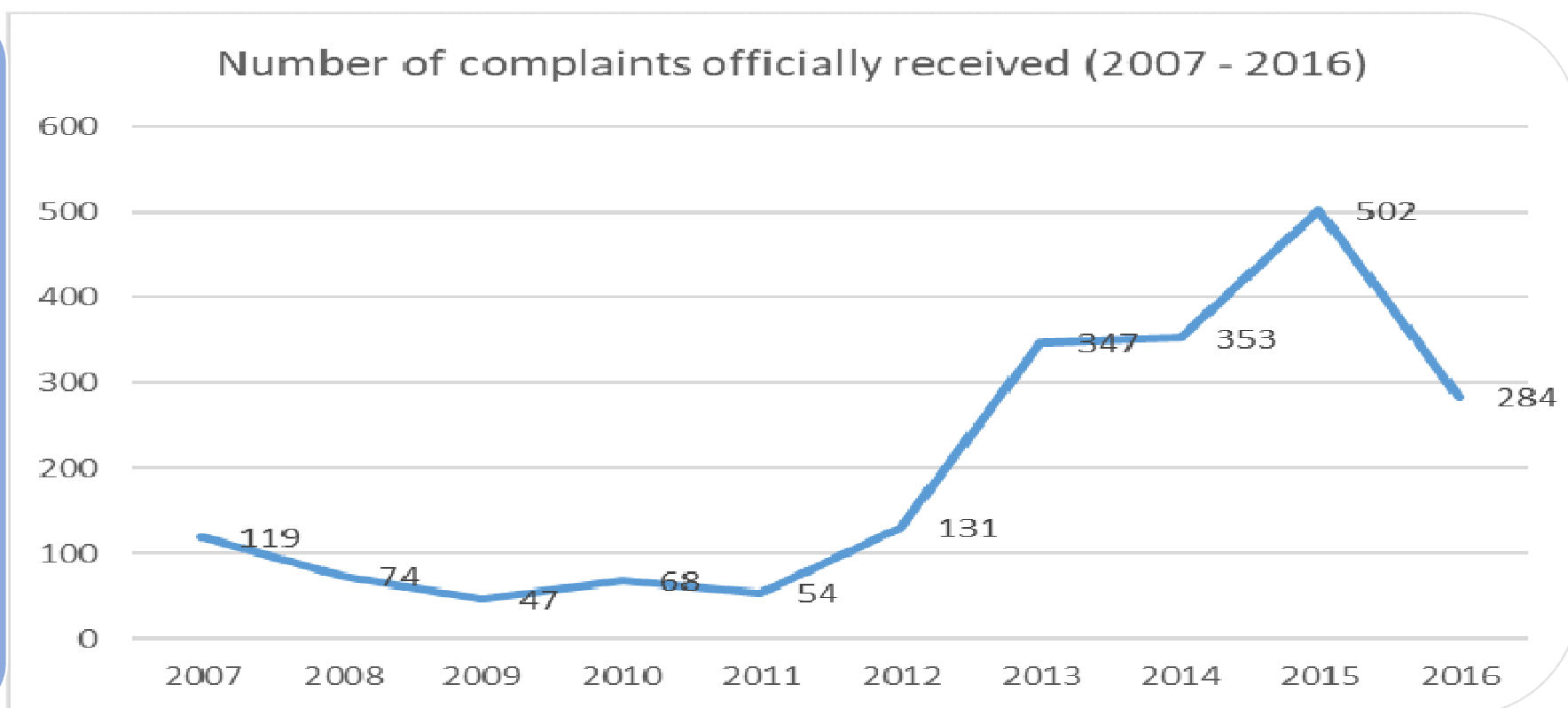
19% victims of violence



2. Disability discrimination and violence against disabled people in Portugal

Official data – application of anti-discrimination legislation

Lei 46/2006,
28/08/2006



3. Multiple oppressions and the need for intersectional understandings

- Higher prevalence of discrimination and violence amongst women, people of younger age groups, with lower income levels, less connected with the labour market and with higher number of impairments;

Need to recognise the range of social and identity markers that in interaction multiply the phenomenon of oppression and discrimination.

Way forward to change disability policies

- Women are over-victimized within sexual crimes (rape and sexual abuse) and limitation of their sexual and reproductive rights;

- Within women, women with cognitive impairments are over-represented within the victims;

3. Multiple oppressions and the need for intersectional understandings

law and disability policies work with stereotyped notions of disability, of disabled people and of vulnerability

- ❖ use of a normalistic framework
- ❖ individual problem that needs individualised solutions and individualised protective measures

Way forward:

recognise **disability** as a socially produced phenomenon of **oppression** of those identified as disabled; deconstruct prevailing ideas; recognise disabled people as **multiple subjects** with multiple identities, belongings and affected by different forms of oppression that do not only cumulate but that interact to potentiate oppression and discrimination, and bring in legal recognition to **disablist hate crime** or to **disablim** as a form of social discrimination.

1. Concepts

Disablist Hate Crime

- any criminal offense socially perceived to be motivated by prejudice against disabled people, including the following forms of physical, verbal and symbolic violence: sexual abuse, threat, harassment, bullying, vandalism, theft, rape, torture, homicide and enslavement.

4. Conclusions:

1. Maintenance of high standards of social exclusion of disabled people in Portugal.
2. Maintaining high levels of oppression for disabled people.
3. Prevalence of an individual understanding of disability.
4. Failure of basic citizenship rights: access to health services, accessibility conditions, access to quality education, access to employment, access sexual and reproductive rights, access to welfare and safety, access to independent living, ...

4. Conclusions: (cont.)

1. Disability policies have mainly generated dependence and do not respect and/or self-determination;
2. Gap between discourses of inclusion and the persistence of multiple forms of exclusion and oppression that materialize in discrimination and violence;
3. Need to create disability policies that focus on society and not on the individual, that truly recognizes disabled people as citizens and that considers disability as a form of social oppression by a society that does not provide for those identified as disabled;

Thank You!!

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