

Inclusive Museums: Accessible Art for People with Disabilities in Turkey

by

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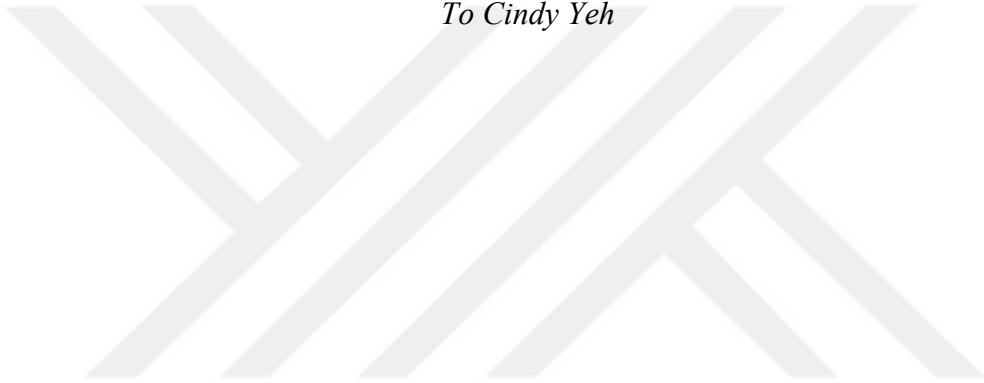
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ABSTRACT

This thesis is an analysis and discussion of inclusive museum practices towards people with disabilities in Turkey. The exploration of this topic became crucial after Turkey's ratification of the UN Convention on the Rights of Persons with Disabilities in 2008 due to the pressures from the civil society and the legislation by the government that led to a new understanding of disability rights and social inclusion in Turkey. By looking at the recent theories on museology and disability studies, and interviewing museum professionals, this thesis aims to present an overview of the recent approaches towards disability in museums in Turkey. In addition to this general overview, this thesis analyzes two private museums' programs for people with disabilities in Istanbul and serves as a preliminary step towards the overall process of making sure every museum is accessible for people with disabilities. This thesis contributes to the practical application of accessibility standards in museums in Turkey that support a rights-based approach for this specific museum audience.

Keywords: Museums, Disability, Accessibility, Social Inclusion, Interpretation, Museum Education

ÖZET

Bu tez çalışması Türkiye'deki müzelerde engelli ziyaretçilere yönelik yürütülen dahil edici müze pratiklerinin analiz ve tartışmasını içermektedir. Bu konunun araştırılması Türkiye'nin 2008 yılında imzaladığı Birleşmiş Milletler Engelli Hakları Sözleşmesi'nden sonra önem kazanmış, devlet tarafından hazırlanan mevzuat ve sivil toplumun katkılarıyla beraber Türkiye'de engelli hakları ve dahil edici pratikler yeni bir anlayış elde etmiştir. Yakın zamanda yazılmış olan müzecilik ve sakatlık çalışmaları teorilerini irdeleyerek ve müze profesyonelleriyle görüşmeler düzenleyerek, bu araştırma Türkiye'deki müzelerin engellilere yönelik yaklaşımı üzerine genel bir inceleme sunmayı amaçlıyor. Bu tez müzelerin engellilere yönelik yaklaşımına dair genel bir analize ek olarak, İstanbul'daki iki tane özel müzenin engellilere yönelik programlarını araştırmakta ve bu araştırmayla beraber her müzenin uygulayabileceği erişim standartlarına bir örnek sunmaktadır. Bu çalışma uygulanabilir erişim standartları sunarak hak-temelli yaklaşımı savunan müzelere örnek bir uygulama sunmayı amaçlamaktadır.

Anahtar Sözcükler: Müzeler, Engellilik, Erişilebilirlik, Yorumlama, Müzede Eğitim

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INTRODUCTION

The starting point of this thesis research was my experience as a museum visitor to an exhibition in Istanbul that exposed the personal stories of people who became blind at some stage in their lives. The artist had asked them what the last sight they remembered was and reflected their narrative through different media. Although the exhibition idea was poetically conveyed, the museum did not have any preparations for including blind persons as a museum audience. The absence of an educational program and any other inclusive attempt that welcomed blind visitors led me to think that the core of the exhibition was betrayed by the museum itself.

Later on I kept coming back to this memory during the Smellscape Workshop in 2012 organized by Koç University, a workshop that was part of a research collaboration called “Urban Cultural Heritage and Creative Practice” and that reevaluated the heritage of Eminönü and the Spice Bazaar by focusing on the sense of smell. During the workshop I came to understand how modernity has set our body and our senses aside by putting more weight on our sense of vision and the mind: The mind as the sole resource for appreciating art, the mind with its intellectual capabilities to understand it, the mind that has undermined our body and senses such as taste, touch and smell. Reconciling this duality of mind and the body, and separation in the museum space became my initial interest. So my first questions were: How does a museum interact with a visitor who is primarily defined by his/her bodily processes, abilities and disabilities? Does a museum as an institution have a responsibility to include visitors with disabilities as an audience?

These questions evolved during my internship in summer 2012 as a research assistant in a project that dealt with contemporary practices in Turkish museology. During the research I was able to read about the history of museology in Turkey and conduct interviews with the directors of prominent museums about issues concerning access, inclusion, diversity in museum space and the responsibility of museums as centers to promote equality.

My interest in inquiring about access issues that are faced by people with disabilities coincided with recent legislative developments and policies in Turkey which aim to abolish discriminatory practices and include people with disabilities in every aspect of economic, social and cultural life. Law 5378, Turkey's first legal instrument was exclusively formulated to improve accessibility issues for people with disabilities; it was introduced in 2005 and promoted a rights-based approach within the political and cultural discourse in Turkey. Turkey's ongoing accession process to the EU and the ratification of the *UN Convention on the Rights of Persons with Disabilities* in 2008, along with the continuing policy efforts within local governments to improve the lives of people with disabilities led me to question what recent developments were introduced in the cultural realm, given the changes in legislation and practice.

During the research process of my thesis, I was lucky enough to spend a year as a Community and Access Programs intern at the Museum of Modern Art in New York. This provided me an insider's access to diverse practices geared towards people with disabilities and trained me to observe and develop tours for this particular audience. In addition to my hands-on practice as an intern, I was exposed to a variety of socially inclusive (Sandell 1998) and emancipatory (Hollins 2012) practices within MoMA, which helped me to better analyze museums in Turkey and suggest positive changes accordingly.

This thesis therefore aims to be a preliminary exposition of current debates concerning museum practices for people with disabilities abroad and in Turkey, a thorough investigation on both current theories in disability studies and new museum theories, and a point of departure for further research about museum access issues for people with disabilities in Turkey.

The scope of my study concerning current museum practices in Turkey is limited to a detailed analysis of museum education programs at Pera Museum and Istanbul Modern. Although I have investigated and researched different practices both in Istanbul and abroad, my thesis provides in-depth analyses of these two museums' education programs for people with disabilities, observation of their education tours and interviews that I conducted with museum professionals at these institutions.

The first chapter, "Literature Review" consists of a review divided in two parts. The first part is devoted to the exploration of sources on disability studies and accessibility. Second, this chapter reviews current theories about new museology and resources related to accessibility in museums. By providing references from both Turkey and abroad, this chapter aims to provide a comprehensive resource for researchers interested in this subject.

The second chapter, "Disability and Disability Rights: An Introductory Exposition" is an exploration of theoretical and practical approaches to disability. By providing a historical framework for the theories of disability and disability rights, my aim is to familiarize the reader who has no background knowledge on this subject. The first part of the chapter provides a theoretical foundation on how disability is understood and points out prominent political movements which originated in the United States of America and the United Kingdom that are concerned with disability rights. The

second part of the chapter concentrates on international laws and legislative frameworks that are specifically designed for people with disabilities.

The third chapter, “Inclusive Museums and Accessibility: A Critical Overview” explores the historical and theoretical foundations of the changing attitudes of museums toward diverse audiences and aims to provide a comprehensive account of current museum theories that deal with social inclusion, participation and emancipation of people with disabilities. In light of these theories and practical suggestions, this chapter further provides insight about current research on museum programs for people with disabilities, especially accessible interpretive practices in the current museum education paradigm. By including my experiences with the current access programs at MoMA, this chapter also aims to set an example for how a museum can thrive to be accessible through its education programs for visitors who are deaf or hard of hearing, visitors who are blind or partially sighted, visitors who have dementia or Alzheimer’s, and visitors who have learning and developmental disabilities.

The fourth chapter, “Accessible Museums in Turkey: An Overview and Two Case Studies” first explores the laws and legislative frameworks in Turkey that concern people with disabilities. In addition to providing data on recent policies about accessibility, this chapter also looks at the ways in which local government in Istanbul initiated accessibility projects for numerous museums in Istanbul. Along with effort of the central government and municipalities, this chapter also investigates the institutional efforts of two private museums, namely the Istanbul Modern and Pera Museum, using interviews, program observation and analyses of website material.

During my research, I questioned my stance as a researcher pursuing a subject that concerns people with disabilities. Doing research on any group or community that is excluded from social and cultural arena requires an ethical responsibility and a justification on the researcher's part to pursue this kind of a topic. Previous research related to museums and people with disabilities has either pursued an institutional analysis of how museums formulate themselves as accessible, or analyze the perspective of people with disabilities by including focus groups during the implementation of pilot programs in museums. My research is limited to the former approach that intentionally chooses solely museums and museum professionals as a targeted research group. Therefore this study does not include personal perspectives and museum experiences of people with disabilities in Turkey but investigates how the legislative framework, local governments and museum professionals approach people with disabilities.

This research is of particular interest to museum educators because it addresses a significant gap in museum studies literature in Turkey and questions how two museum outreach programs are striving to achieve accessibility for visitors with disabilities. This research, therefore, iterates a needed investigation of an increasingly current and urgent topic in museum studies in the Turkish context.

CHAPTER 1

LITERATURE REVIEW

1 Sources for Disability, Access and Museums

1.1 Sources for Disability Studies and Access

For any scholar interested in conducting research related to people with disabilities, one of the first steps to take would be the methodological overview on how to do research about this particular subject. *Doing Disability Research*, edited by Colin Barnes and Geof Mercer, published in 1997, provides essential guidelines to different methodological approaches used for researching disability issues. Individual chapters such as “Breaking the Mould? An Introduction to Doing Disability Research” by the book’s authors and the chapter entitled “Emancipatory Research: Realistic Goal or Impossible Dream?” by Mike Oliver are valuable discussions about the theoretical implications of conducting research about/with this particular audience. Underlining terms like ‘critical social research’, the authors of both chapters point out that no research can be ‘objective’, i.e. a research done in this realm is inherently political and advocates the liberation, and an end to the oppression of people with disabilities, depending on which kind of methods are used in the research process.

The critical essays in *Disabling Barriers-Enabling Environments* published in 2004 and edited by John Swain, Sally French, Colin Barnes and Carol Thomas provide a comprehensive understanding of the complexity of disability. In this compilation of essays, “Disability and Impairment” by Carol Thomas highlights the current theories concerning the definitions of disability; the essay “Representing Disability” by Vic Finkelstein is crucial to understanding the history of disability organizations, and how disability studies evolved to include issues of income, employment, and healthcare.

Finkelstein also addresses the need to redefine disability as an issue of social oppression as opposed to conceptualizing it as an isolated medical condition. Finkelstein reveals in this essay the importance of the “Fundamental Principles of Disability”, a document published in 1976 by the Union of the Physically Impaired Against Segregation (UPIAS) that helped changing the attitudes of the UK public towards impairment and disability; and he provides a valuable historical context of disability research.

Jenny Morris’s book called *Pride Against Prejudice: Transforming Attitudes to Disability* published in 1991 is an important guide to understand the aspects of disability rights movement, merging feminism with the movement and explaining how disability has been largely absent from political discussions concerning the women’s movement. This book is particularly important to read for a feminist’s point of view on disability as it exposes the attitudinal barriers, and underlines the personal accounts of disability.

Disability Rights and Wrongs by Thomas Shakespeare, a disability activist and scholar, is a useful compilation of essays published in 2006 that articulates different models of disability and explains the emergence of diverse ideologies about disability in the UK. In addition to this volume, Shakespeare’s essay “The Social Model of Disability”, published in 2011, outlines the differences between the “medical sociology” and the “social model” approaches to disability and highlights the strengths and weaknesses of the latter model. Shakespeare argues that the social model is not sufficient to explain the condition disability since the persons with disabilities are limited both by the society and their bodies. Another article in this vein is “Defending the Social Model” by Shakespeare and co-author Nick Watson published in 1997 which discusses the limited impact of the social model of disability

in research areas outside of disability studies. The authors ask about the extent to which museums are conscious of different models of disability while planning programs for people with disabilities, a topic that is addressed in Chapter 3 of this thesis.

A common theme in several of the works mentioned above is that disability studies emerged as a reaction to an individualized medical model of disability and the foundations of the social model of disability. To determine how this approach has shaped contemporary discussions of disability, and to provide a critique of the social model, Bill Hughes' essay, "Disability and the Body" published in 2004 and his collaborative article with Kevin Paterson "The Social Model of Disability and the Disappearing Body: Towards a Sociology of Impairment", published in 1997, are important as they stress that the binary opposition between impairment and disability must be abandoned for an accurate understanding of the identity politics surrounding the disability movement. A key issue for both scholars is the understanding of the body as the center of contemporary political debate, something which has been ignored in the social model of disability. Critiquing what they see as a limited domain of the social model, the authors suggest an expansion of the social model and propose an embodied notion of disability rather than a disembodied one. The authors go on to suggest a sociology of impairment grounded in the non-dualistic theories of post-structuralism and phenomenology which would re-conceptualize disability as embodied, and impairment as social, relying on the theory that our body is both a social agent and serves as our point of departure into the world of experience.

The two works of Hughes and Paterson are particularly useful when considering recent research on the body politic in the museum. Considering the embodiment of disability rather than rejecting the bodily experience, and how this relates to the

inclusion of body and bodily senses into the museum space is a debate that will be explored in greater depth in Chapter 3.

The debates that emerged in the 1970s in academic circles during the early years of disability studies were generally rooted in the discipline of sociology, largely because the notion of disability was closely tied to oppression and discrimination. *Arguing about Disability: Philosophical Perspectives* edited by Kristjana Kristiansen, Simo Vehmas and Thomas Shakespeare, and published in 2009, looks at these links between disability, oppression and discrimination and examines the dynamics of this relationship from a philosophical perspective, bringing in issues that are frequent topics of sociological inquiry such as justice, equality, normality, and ethics. In particular, Steven Smith's chapter "Social Justice and Disability: Competing Interpretations of the Medical and Social Models" establishes the theoretical foundations of disability as a phenomenon, criticizing the essentialist view of reducing disability to medically limiting impairments, but also including recent theories of embodiment like Hughes's which see disability as an embodied experience without rejecting the body's physical limitations.

Cynthia Ann Bowman and Paul T. Jaeger's book *Understanding Disability: Inclusion, Access, Diversity and Civil Rights* published in 2005 covers a variety of topics about disability including representation of disability across media, history of attitudes towards disability in the United States' immigration system, and most importantly, the issue of accessibility. Different classifications of accessibility, confronting the physical and intellectual barriers in society are formulated in this source. Because accessibility is also an issue extensively discussed by museum studies scholars, it is crucial to read and explore the ways in which access is framed by scholars from disability studies.

Disability and International Law

Concerning laws and national/international legislation, developments in the UK and the US are useful for understanding the historical progress of accessibility in museums in these two countries. Though limited to two sites, it is essential to analyze the pioneering laws that were issued about people with disabilities such as the *Americans with Disabilities Act* issued in the US in 1990 and the *Disability Discrimination Act* issued in the UK in 1995. These two acts are instrumental for understanding the legislation that was enacted for the purpose of ending discrimination towards people with disabilities in these countries. They are also particularly helpful when comparing Turkey's attempts to secure equal access for people with disabilities from a legal perspective.

Within the supranational paradigm, the *Convention on the Rights of Persons with Disabilities*, enforced by the United Nations in 2008, can be regarded as a turning point in disability rights and legislation concerning persons with disabilities. Apart from that legislation, *The World Report on Disability*, published by the World Health Organization in 2011, marks a prominent reference point for understanding the complexities of disability because it includes issues like definitions of disability, employment, health care, access to technology, demographical information, and most importantly, suggestions for future national and international policies.

1.2 Sources for Disability Rights and Access Issues in Turkey

Among the most important resources written in Turkish is *Sakatlık Çalışmaları: Sosyal Bilimlerden Bakmak* edited by Dikmen Bezmez, Sibel Yardımcı and Yıldırım Şentürk and published in 2011. This work was a point of departure for my research in disability rights and access issues and is a collection of essays in Turkish that deals

with disability studies in an interdisciplinary manner. The essays in the anthology cover diverse topics such as theoretical approaches to disability, history of disability, the disabled movement, identity and disability. Particularly helpful is the translation into Turkish of terminology used in disability studies and the useful introduction to some of the key contemporary approaches in this field.

Bezmez and Yardımcı's article, "In Search of Disability Rights: Citizenship and Turkish Disability Organizations" published in 2010 addresses the issue of disability in Turkey from the perspective of citizenship. The article is very useful as it explains both how the idea of citizenship is understood in Turkey and how disability rights are contextualized within the emerging language of citizenship in Turkey today. The effect of economic liberalization and globalization triggered a denationalization of the concept of citizenship that now perceives citizenship as something more than just belonging to a nation state, with a "one flag-one language" approach. This, in turn, resulted in emerging identity politics, including gay-lesbian rights, women rights and disability rights. The article argues that Turkey still has a strong state-centered approach towards its citizens with disabilities and the attitudes of the state do not go beyond conceptualizing the rights of the disabled citizen as anything more than providing acts of charity and protection.

To better understand the status of disability rights in Turkey, Dikmen Bezmez's 2013 article, "Urban Citizenship, the Right to the City and Politics of Disability in Istanbul" and a PhD dissertation by Salih Açıksöz called *Sacrificial Limbs of Sovereignty: Disabled Veterans, Masculinity, and Nationalist Politics in Turkey*, published in 2011, are especially important resources for understanding how disability is conceived and discussed in Turkey and how approaches taken in this country shift between being based on charity or human rights.

An important and very recent resource to understand the multi-faceted issues regarding disability rights in Turkey is a report called *Engelsiz Türkiye İçin: Yolun Neresindeyiz? Mevcut Durum ve Öneriler (Where do we stand for a barrier-free Turkey: Current Issues and Suggestions)* that was published by Sabancı University in 2013. The report is an excellent reference to grasp current disability issues in Turkey and includes topics like employment, political participation, healthcare, rehabilitation and accessibility. After evaluating the current practices and the implementation of laws regarding disability rights in Turkey, the report proposes important changes in policy. While the international reference in the report to understand disability as a whole is *The World Report on Disability* published by the World Health Organization in 2011, the country-specific and most up-to-date research on these current issues in Turkey is this Sabancı University report from 2013. While covering a range of issues from accessibility to services and information, the report also addresses the issue of physical accessibility to diverse museums. While my research constitutes a more comprehensive approach to accessibility and museums in Turkey, the Sabancı University report presents useful findings about the physical aspects of access to museums in Istanbul.

1.3 Sources for Museum Education and New Museum Theories

In order to understand how attitudes towards people with disabilities have changed in museums, a historical and thematic reading of museums' approach to its visitors is essential. This section of the literature review provides, in chronological order, an overview of different sources about museum education, a history of museological practices vis-a-vis diverse audiences, and the inception of outreach programs.

Carol Duncan's *Civilizing Rituals: Inside Public Art Museums*, published in 1995, is a canonical work which is useful to understand the performative aspect of visiting museums. She argues throughout her book that museums are a stage setting that "prompts visitors to enact a performance of some kind, whether or not actual visitors would describe it as such" (2). *Civilizing Rituals* help us to move beyond the discussions of whether the ideal museum should be an educational or an aesthetic one and asks the reader to analyze the ritualistic performances in a museum. Her usage of "ritual" moves beyond the anthropological definition and exemplifies an interdisciplinary approach to research on museums. For this topic, her most useful chapters are "The Art Museum as Ritual", "From the Princely Gallery to the Public Art Museum: The Louvre Museum and The National Gallery, London" where she explains her theory on how museums encourage and/or impose certain "civilizing" practices on visitors. She also gives a brief history of how two public art museums in Europe have evolved to be like temples and churches, yet were founded as secular institutions produced by the Enlightenment. Because the 'rituals of visiting' at the Museum of Modern Art (MoMA) is also explored in my thesis, Duncan's last chapter "The Modern Art Museum: It's a man's world" helped me to engage more critically with that space when I was an intern at MoMA.

Concerning museum education, *Learning in the Museum* by George Hein, published in 1998, provides a pioneering account of the brief history of education in public museums, and presents a number of educational theories that can be applied to museum education. This source has been particularly useful to explore the constructivist education theory and how it can be used in museums. The book's last chapter called "The Constructivist Museum" has important insights on how a visitor-oriented learning process should take place. It also analyzes the term "accessibility",

and investigates how a museum can strive to be more accessible for a general public by ensuring access to people with disabilities, both physically and intellectually.

Apart from the pressures created by laws and regulations like the *Americans with Disabilities Act*, museums have already started making an important shift regarding their purpose and moved from being institutions for objects to being for the public. In this regard, Stephen E. Weil's article published in 1999 called "From Being about Something to Being for Somebody: The Ongoing Transformation of the American Museum" elucidates how museums used to be inward-looking institutions that eagerly tried to collect and preserve the history of humanity, especially after the devastating effects of the Second World War, but later became outward-looking institutions that took the public as their primary *raison d'être*. In this vein, Eilean Hooper-Greenhill's book called *Museums and their Visitors* published in 1999 is a pioneering guide for museum professionals on how to make museums more socially relevant to visitors by showcasing different suggestions for target groups such as school groups, families and also visitors with disabilities.

Richard Sandell's pioneering article "Museums as Agents of Social Inclusion" published in 1998 marks the introduction of the terminology of social inclusion into the cultural sector in the United Kingdom. This work analyzes how museums have responded to the multi-layered aspects of exclusion by becoming socially responsible agents promoting equality and representation through their programming and museum collections. This source, in particular, is necessary for any analysis on how inclusion is defined in museums in Turkey in terms of access for people with disabilities. Although the governmental and museological examples are derived geographically from the UK, Sandell's definition of social inclusion for museums can be applicable to cases from different countries.

Continuing with the term social inclusion and what it means for the museum sector, a collaborative report written by Jocelyn Dodd and Richard Sandell called *Including Museums: Perspectives on Museums, Galleries and Social Inclusion*, published in 2001, presents different approaches museums take concerning social responsibility and how museums can affect positively issues such as inequality, disadvantage, and racism. The report is a prominent resource and a good introduction to how museums can be more inclusive; it also addresses the question of whether every museum should have a responsibility and a social agenda. Similar to this report, *Museums, Society, Inequality* by Sandell, published in 2002, is an instrumental resource to examine different responses to inequality as it brings together case studies from international practitioners.

The paradigm shift of museums' role in society has been covered widely in academic works. Among these, *Reinventing the Museum: Historical and Contemporary Practices on the Paradigm Shift* by Gail Anderson published in 2004 stands out as an extensive anthology of essays examining the traditional museum of the 20th century, and looks at how many aspects about the structure of the museum are changing including governance, institutional priorities, management strategies and communication style. With essays dating from 1917 to 2002, this anthology is instrumental in helping the reader understand the evolution of museums in historical fashion.

Elaine Heumann Gurian's "The Museum as a Socially Responsible Institution" published in 2006 reveals how the museum is re-examining its foundations. The prominent question that Gurian insists the museum must ask is: "For whom?" She argues that at no time in history were museums really "value neutral" and they all had an ideology, and an agenda. In other words, museums cannot have objective

presentations, but display representations of ideas prepared with the limitations and imaginations of curators. Gurian suggests a checklist for all museums to use collectively to ascribe a social responsibility score for their institution. The core question that she asks for each part of the institution is “Who decides?” Who decides the directions the museum will take for an exhibition, for research, for education, for administration? She states that museums can no longer be patronizing but they need to be self-conscious and promote the idea that museums should be socially responsible institutions that are inclusive and celebratory of different perspectives, backgrounds and learning methods.

In line with this change, Eilean Hooper-Greenhill’s book called *Museums and Education: Purpose, Pedagogy, Performance* published in 2007 is a key source to learn about the ongoing debates concerning museum education. In this work, Hooper-Greenhill’s introduction of the ‘post-museum’ is important as a contribution to an analysis of socially responsible museums. In addition to the promotion of an egalitarian and just society, Hooper-Greenhill underlines that including the public in the museum’s policy making decisions would entail the integration of the body back into the museum space. It is crucial to understand how the museums of the 19th century were abstracting the body from the mind – and in doing so supported the Enlightenment’s Cartesian division of the mind and the body. Here the mind was regarded as the sole source of learning and intellectual contemplation and looking at the art object were the only true cues in which learning was deemed possible. Further, because social hierarchies were based on the mind-body separation, “those whose lives were thought to be defined by bodily processes and activities, which included women, laborers and the disabled” (2007, 191) were seen as having lesser value than those whose lives were defined by intellectual achievements. Hence, while the

disabled were initially unwanted elements of the modernist museum, the post-museum's challenge, claims Hooper-Greenhill, is to include the disabled into the museum space and its rituals by perceiving the self as embodied. It is essential to welcome the body back to this space and integrate performative elements into museum practice. Thus the interest in including, representing and promoting disability rights and persons with disabilities has become prominent in the agenda of museum studies as an academic subject of inquiry and museum professionals.

In addition to examining the newer inclusive practices in museums, this thesis research also deals with the idea of participatory practices in museums, and explores the ways in which museums in Turkey can be more participatory in their programming. The canonical book on how the participatory museum is defined, and why museums should strive to be that way, is Nina Simon's *The Participatory Museum*, published in 2010. The audience-centered approach in museums, a topic addressed by Stephen Weil (1998) and Gurian (2006) is taken one step further in Simon's book as she provides specific techniques and case studies on how an institution could be more participatory and why that is a vital goal. An important factor about *The Participatory Museum* is that Simon explains in-depth how institutions choose to define participation, and she examines the differences between contribution, collaboration and co-creation in museum practices.

Natasha Reid's article "Inclusive Art Gallery Practices: Exploring Collaborative Processes and Pedagogy in Outreach Community Programming," published in 2011, is an important resource for any museum professional who wants to plan a socially inclusive education program. Reid provides a critical framework for active inclusion and exposes a case study of a non-profit art gallery in Montreal, Canada called La Centrale in its first attempt to reach out to The Immigrant Worker's Center. The

article is a good and practical guide showing how to incorporate Sandell's theories of socially inclusive museum practices into specific case studies and its evaluations.

Graeme K. Talboys' *Museum Educator's Handbook*, published in 2011, is a practical guide for museum professionals and provides instruction on how to enhance the educational potential of museums. Two aims of this book are to help museum staff better structure their educational programs by knowing the diversity of museum visitors; and second, providing a detailed definition on what museum education entails so that its importance and complexity is better appreciated within the museum and beyond. The instrumental aspect of this book is that it underlines the fact that education is intrinsic to all museums. It also provides practical guidelines for how to produce policy documents, planning outreach and finding resources to make educational programs happen.

1.4 Sources for Museums and Access for People with Disabilities

United Nations Educational, Scientific and Cultural Organization (UNESCO) declared 1981 to be the UN International Year of Disabled Persons, and published "Museums and Disabled Persons", one of the pioneering documents on accessibility issues for people with disabilities. This 75-page-long document reflects the UN's continuing commitment to understanding disability and expanding the solutions for accessibility issues. With the 1981 announcement, key classifications about disability were articulated and suggestions then made concerning the responsibilities that museum professionals should take to ensure that their museums were more accessible. After the article underlines key discussions on how museum professionals should approach accessibility, this document provides reports on existing accessible programs or exhibitions at a number of museums in the USA and Scandinavian countries. This document is important for understanding how international

organizations like UNESCO are reflecting upon museums and access. Furthermore it is useful to compare how documents produced by museums are similar or different than the UNESCO “Museums and Disabled Persons” in their approaches to access.

After the UN’s release of the document mentioned above, a growing interest in how to welcome people with disabilities into museums was observed. One of the important works that underlined this fact is *Part of Your General Public is Disabled: A Handbook for Guides in Museums, Zoos, and Historic Houses* published in 1987 by Janice Majewski. An introductory guide for docents and guides working in museums, this source includes useful definitions on different kinds of disabilities and how to prepare tours for specific groups. Using the now-outdated terminologies on how to classify different disabilities, this source nevertheless provides helpful and practical information on nine groups, namely “people with mental retardation”, “people with learning disabilities”, “people with hearing impairments”, “people with visual handicaps”, “mobility impairments”, “cerebral palsy”, “mental illness”, “severe communication disabilities” and “older adults” giving specific guidelines on how to approach different groups of disabled visitors, what to do in an emergency situation and in-tour exercises. One of the reasons why this source is a pioneering work is, because as the title suggests, people with disabilities are considered as part of the general public and not a separate, isolated group whose “special needs” have to be met.

One of the most comprehensive manuals to apply legislation concerning disability rights to museum planning is John Salmen’s *Everyone’s Welcome: The Americans with Disabilities Act and Museums*, published in 1998. Written to guide museum professionals on how to plan accessible museum practices, Salmen suggests nine practical steps to enhance accessibility across museums and to improve ADA

compatibility. These steps include: (1) having an accessibility statement; (2) an accessibility coordinator, (3) accessibility advisory council; (4) staff training; (5) review of existing facilities and programs; (6) planning for accessibility; (7) promoting and advertising accessibility in the museum; (8) grievance procedures; and (9) ongoing review of access efforts. This source, while developed for an American audience, is instrumental for any research focusing on assessing accessibility standards in museums in Turkey, introduces the necessary tools to prepare a self-assessment regarding accessibility in museums and provides the right step-by-step tools while preparing interview questions.

Kevin Hetherington's article, "Accountability and Disposal: Visual Impairment and the Museum" and Fiona Candlin's article "Blindness, Art and Exclusion in Museums and Galleries", both published in 2003, discuss the ways in which museums include or exclude people who are blind or partially sighted. Hetherington approaches the issue from a legal standpoint and explains how legal pressures such as the Disability Discrimination Act, issued in 1995 in Britain, made it illegal to discriminate against people with disabilities and how major funding for the arts was initiated by the National Lottery in 1994 that paved the way for accessible museums. Hetherington's usage of Althusserian terminology "interpellation" is particularly important to note in this article. He argues that "a Braille sign not only writes disability into the space of the museum, it also writes the body of the visitor into that space as well - it hails them into position so to speak, interpellates them as a subject where previously their subjectivity had been denied or ignored" (p. 108).

Fiona Candlin's article examines the ways in which people who are blind and partially sighted respond to educational provisions in museums. Drawing on interviews with blind visitors, Candlin examines different approaches of several

museums and galleries in the UK, including Tate Liverpool, National Gallery and Victoria & Albert Museum. This article is particularly important to understand the current practices in major UK museums and to understand the debate on how to conceptualize a museum that would include blind and partially sighted audiences without excluding them from mainstream education programming. In addition, Candlin provides space for debate on how museums have an ocular-centric positioning, meaning sense of sight is the primary sense on which museums rely.

Constance Classen's article "Touch in the Museum" published in 2005 explores the hierarchy of the sense of sight over touch historically and provides an extensive account on how museums came to be dominated by the sense of sight whereas early museums, until the 19th century, allowed touch to be one of the masters of the senses. Giving accounts from the early days of 17th century museums, Classen provides instrumental insight on the diverse multisensory experiences that early museum practices encouraged and explains how the bodily experience became excluded from the museum space later on, as the 19th century museum thrived to civilize museum audiences by demanding "they must learn to control their bodies as they enlighten[ed] their minds." (282).

Many Voices Making Choices: Museum Audiences with Disabilities, published in 2005, is a collaborative publication by the Australian Museum and National Museum of Australia. It is an instrumental report which discusses consultation sessions that were organized with people with diverse disabilities in order to gain direct information about their experiences as museum visitors. By conducting sessions with people who have a mobility disability, sight, hearing and intellectual disability, the report suggests how access, independence and choice are key elements that people with disabilities expect from a museum visit. Deriving responses from a diverse

audience, the publication reiterates that a disabled group is heterogeneous and has different expectations similar to any other visitor. In addition to providing direct responses from visitors with disabilities, this report gives essential information about disability; the Commonwealth Disability Discrimination Act issued in 1992, further makes suggestions on how to communicate with diverse disabled audiences. One of the key elements of this report is the availability of an accessible exhibition design checklist that can be used for most organizations.

In addition to his work on social inclusion and museums, Richard Sandell's writing is also a prominent resource for recent research on disability and accessibility issues in museums. His collaborative article called "Beggars, Freaks and Heroes? Museum Collections and the Hidden History of Disability", published in 2005, exposes how people with disabilities are represented in museum collections in the UK. This article also contributes extensively to our knowledge about people with disabilities in the media, in literature and in society at large, by looking at the variety of ways in which people with disabilities are represented and exhibited. Although this thesis research is not centered on how people with disabilities are represented in museum collections in Turkey, nevertheless Sandell's work is useful as it engages critically with the issue of the representation of disability in museums from a curatorial perspective.

Diana Walters' article "Approaches in museums towards disability in the United Kingdom and the United States", published in 2009, shows that despite antidiscrimination legislation and efforts by museums to improve access, the issue of attitude remains a key barrier to genuine inclusion for people with disabilities. The article focuses on the attitudes held by museum professionals towards barriers and towards the issue of disability access in general. It is an important source to refer to

because it also elucidates the differences between the United Kingdom and the United States in terms of attitudes towards people with disabilities.

Re-presenting Disability: Activism and Agency in the Museums, published in 2010, is an instrumental book edited by Richard Sandell, Jocelyn Dodd and Rosemarie Garland-Thomson which features a historical overview about the ways in which people with disabilities have been a subject of display in museum and gallery collections, and how new practices in museums can overcome prejudiced and stereotypical representations of people with disabilities. It also reflects how several emerging trends in museum practices deal with disability in museums. Among the different chapters in this book, Heather Hollins' "Reciprocity, Accountability, Empowerment: Emancipatory Principles and Practices in the Museum" discusses how to implement emancipatory practices while planning for museum exhibition or education programs. When read together with Barnes and Mercer's *Doing Disability Research* (1997) mentioned earlier in this chapter, this article stands as a practical guide on how to prepare emancipatory education programs for and with museum visitors with disabilities.

1.5 Sources for Museum Education in Turkey

While there are several academic studies, and research conducted about museum access for people with disabilities in the UK, the USA and Europe this topic of inquiry is under-researched in Turkey. In recent years, however, there have been some studies written about the educational provisions of museums and the visitor experiences in Turkish museums.

An unpublished MA thesis entitled "Özrümlülerin Toplumda Katılımında Müzelerin Rolü" (The Role of Museums in the Participation of People with Disabilities in

Society)¹on museums and people with disabilities was written in 2000 by Semra Küçüköğlü, The thesis compares the museum accessibility of the Istanbul Archaeological Museums and The Military Museum in Istanbul with six international museums i.e. National Air & Space Museum, The Museum of Modern Art, Royal Museum of Scotland, The British Museum, Glasgow Museum and Laing Art Gallery. Although a pioneering work in academic research in Turkey, this thesis does not go beyond describing the more tangible aspects concerning museum accessibility for visitors with disabilities in Turkey and does not engage with much of the theoretical literature on the topic.

Seçil Kınay's unpublished MA Thesis "Museum as a Source of Education: A Case Study on Bodrum Museum of Underwater Archaeology" written in 2008 is an important work as it looks at Turkish museology from an educational perspective and proposes useful educational activities. Although a practical work on education, the museum audience is defined solely as children and young people for the proposal of educational activities at the museum. Another study was conducted by Elif Çiğdem Artan on the introduction of private museology to Turkey and the awareness generated by these museums to their visitors. Artan's article "Consuming in Museums: Visitor Behaviours in Postmodern Era" published in 2008 looks at the development of Turkish museology and tries to understand consumer behaviors in a museum context. Nevertheless it is insufficient in asking in-depth questions about the museum's target audiences, the diversity within the visitor community, and the museums' response to whether it defines itself as an institution that promotes the cultural rights of diverse groups.

¹ Translated by the author.

Serap Buyurgan's article "The Expectations of the Visually Impaired University Students from Museums" published in 2009 is an important case study of partially sighted university students' museum experience in the Museum of Anatolian Civilizations in Ankara. By pointing out the needs of partially sighted museum visitors, Buyurgan's work is a meaningful contribution to museum studies in Turkey.

Amid significant research concerning museum education and learning practices in Turkey, there is a gap in scholarly works that target the analysis of marginalized groups such as persons with disabilities and their interaction within the museum space. This thesis aims to fill this gap.

CHAPTER 2

DISABILITY AND DISABILITY RIGHTS: AN INTRODUCTORY EXPOSITION

The definition of the word ‘disability’ in the Oxford Dictionary is “a physical or mental condition that limits a person’s movements, senses or activities”². In contrast to this straightforward but limited definition, “The World Report on Disability” (2011) answers the question “What is disability?” as follows: “Disability is complex, dynamic, multidimensional, and contested” (3). The identification of the concept of disability is difficult and has been pursued in numerous controversial ways; yet there is no agreement on an exact definition for disability apart from a consensus that it is an “evolving concept”(3). Therefore, this chapter first provides a historical overview of the theories of disability; this is followed by the legislation that concerns disability, drawing from the major reference, “The World Report on Disability” published by World Health Organization in 2011.

Part 1

2.1 Defining Disability: Theories and Controversies

In recent decades the interest in approaching disability from different angles has increased, but the emergence of a larger discussion about the definition and rights concerning disability dates to the late 1960s, when rapid growth in disabled people’s organizations were occurring. The late 1960s, and “the coming of the age of affluence” (Finkelstein, 2004, 13) was a time when disability advocacy, associated with institutional care and rehabilitation, changed to focus on discussions of income,

² Retrieved from <http://oxforddictionaries.com/definition/english/disability?q=disability>

employment and rights. The increased interest in disability rights during that time led to the emergence of important organizations that would mark the foundations of disability studies in the following decades. The first organization which should be mentioned is the Disablement Income Group (DIG), founded in 1965. It focused “its main energies in campaigning for a national income to compensate for disability” (Finkelstein, 2004, 13). Important because of its influence in creating discussion about disability, DIG nevertheless failed to recognize that issues concerning disability could not solely be solved by a change in income (14). Thus a new and radically different interpretation of disability was needed.

The important turning point for a radical change in attitudes towards disability was 1976, when the Union of Physically Impaired against Segregation (UPIAS) and the Disability Alliance produced a document called “Fundamental Principles of Disability” which redefined the notions of impairment and disability. Activists such as Victor Finkelstein, Paul Hunt and Mike Oliver, who were interested in disability, claimed that impairment should be redefined from the existing definition which stated that disability constituted, “lacking part of or all of a limb, or having a defective limb, organism or mechanism of the body” to the following: “the disadvantage or restriction of activity caused by contemporary organization(s) which takes no or little account of people who have physical impairments and thus excludes them from the mainstream of social activities”³.

³ Fundamental Principles of Disability, UPIAS and The Disability Alliance, 1976, 14 retrieved from <http://disability-studies.leeds.ac.uk/files/library/UPIAS-fundamental-principles.pdf>

What was elemental in this initial battle of disability studies was the clear separation between impairment and disability. The disability movement that accelerated in the 1970s started by reclaiming the actual word ‘disability’ from the realm of medicine and social care (Thomas, 2004, 21). Firmly in the hands of doctors and social workers, disability “either was the impairment itself or resided in restrictions of activity caused by the impairment” (Thomas, 21), which prompted disabled people to re-establish a fundamentally social definition of disability. By making a clear separation between impairment and disability, and by putting more weight towards the idea that disability had to do with social oppression and inequality (Shakespeare, 2006, 10-14), the new approach to disability rejected compensatory and tragic attachments that were made to personal cases of impairment, pointing to the imposition and restrictions that were made by society that led to disability. In Thomas’s(2004) words, “[t]raditional medical and welfarist models of disability, together with their culturally pervasive ‘personal tragedy’ counterpart, were thrown aside in favour of a social definition of disability” (21).

Vic Finkelstein, the co-founder of UPIAS argues “although it may be a tragedy to have an impairment, it is oppression that characterizes the way our society is organised so that we are prevented from functioning.” (Finkelstein in Thomas, 2004, 572). The disability movement in this respect came to object to the overtly personal and medicalized definitions and explanations of disability (Shakespeare, 2011, 51). This new paradigm shift was coined as ‘the social model of disability’, now canonical in disability studies and the disability movement (Thomas, 2004, 21).

2.2 Interpreting Disability: The Social Model

The fight against oppression of disabled persons by society was formulated in the early days of the UPIAS when they proposed in the Fundamental Principles document

that the “struggle proposed by the Union is logically developed from a social theory of disability” (UPIAS, 1976). This new perspective on disability was founded on the fact that the issues confronted by disabled people were not caused by their impairments; the real problem was how society was exclusively constituted for non-disabled people:

It is not because of our bodies that we are immobile – but because of the way that the means of mobility is organised that we cannot move. It is not because of our bodies that we live in unsuitable housing – but it is because of the way that our society organises its housing provision that we get stuck in badly designed dwellings. It is not because of our bodies that we get carted off into segregated residential institutions – but because of the way help is organised. It is not because of our bodies that we are segregated into special schools – but because of the way education is organised. It is not because we are physically impaired that we are rejected by society – but because of the way social relationships are organised that we are placed beyond friendships, marriages and public life. Disability is not something we possess, but something our society possesses.

(Leamann in Finkelstein, 2004, 14)

The roots of the social model of disability are derived from Marxist and Materialist interpretations of a society that socio-structurally excludes people with disabilities (Thomas, 2004, 22). Mike Oliver (1990), aligned with the social model, argued that it is through the capitalist social relations of production that the social exclusion of people with impairment began. Beginning with the late nineteenth century, industrial societies such as the UK demanded that non-owners of the means of production should take part in the labor force, and “those who could not sell their labor-power on ‘normal’ and ‘average’ terms faced exclusion from the opportunity to obtain independently the means of subsistence” (Thomas, 2004, 22). Thus disabled people represented no product value for a fast-moving and demanding industrial process. Thomas (2004) reveals that, with this point of view, the emerging society developed

forms of controlling people with disabilities –be it philanthropic and/or professionalized control– through “workhouses, enforced dependency, ‘special’ education, ‘sheltered’ workshops, community care, or supported employment, in other words the whole paraphernalia of institutionalised care” (22).

An important point to be made about the social model of disability and disability movement is that it is ideologically situated in the UK. John Swain (2004) exposes that the social model of disability was “born from the experiences of disabled people in the Western minority world.” (54). When globally approached, the existence of cultural differences might make of this model a more controversial picture. However, even if the initial movement started in Britain, “the evidence from many disabled people who live in the majority world is that the social model makes sense across cultures and countries” (Swain, 2004, 54). The point of departure for a disability movement might differ depending on a country’s social and political state too. For example, in the United States of America, one reason for the inception of the movement is related to the return of Vietnam War veterans with disabilities; “an increasing number of people started voicing claims for disability rights, which was effective in the rise of a disability movement” (Bezmez and Yardımcı, 2010, 608).

2.3 Interpreting Disability: The Medical Model

The medical model is associated with approaches towards disability until the end of the 1970s when “interest in disability within the social sciences was confined almost exclusively to conventional individualistic explanations linked in one way or another to medicine and medical concerns” (Barnes, 2004, 29). At the heart of the medical model lies the notion of ‘abnormality’, the idea that disability is associated with fixed and essential traits “seen via the perspective of non-disabled people and experts, that inevitably precludes a life of personal loss or tragedy” (Smith, 2009, 16). According to

the medical model, disability is a sickness to be ‘cured’ and it implies the need for dependency and rehabilitation (Hughes, 2004, 62). The radically essentialist view of the medical model is grounded,

... in the eugenics movement and fascist ideology of the early twentieth century, where the essential deficiencies of disabled people are seen as a threat to the ‘pure race’. This led not only to impaired people being segregated from the essentially normal and ideal but also resulted in the recommendation and practice of genetic eradication and even the systematic murder of people with impairments.

(Smith, 2009, 16)

Steven R. Smith (2009) explores two interpretations for understanding the medical model of disability. The first one he calls the ‘full essentialist individual deficiency’ interpretation (FEID) because this view situates disabled people as powerless and dependent, their fate left to the hands of non-disabled experts. In policy constructed through this interpretation Smith proposes that FEID is “reflected in legislation throughout the industrialised world explicitly defining people with impairments as medically ‘deficient’, ‘sub-normal’ and the like” (16). However, he concludes that this interpretation is outdated in contemporary policies regarding disability and there is a new understanding of impairment in an integrated and socially contextualized way.

The second interpretation of the medical model he propounds is called ‘part-essentialist individual deficiency’ interpretation (PEID). This interpretation affirms that disability is caused by medical characteristics that lead to ‘abnormality’ but also adds that “these can be by changes in the social environment, so as to enable some degree of ‘normal living’” (22). Although the second interpretation is more socially

disposed, PEID too cannot escape the danger of imposing normality in an essentialist way. Within both of the interpretations of the medical model

disabled people are still defined as 'problematic' because they are unable to conform to standards of normality which in turn are standards that are associated with what is seen as 'ideal' or 'best'. This understanding of 'the problem' legitimates policy where the non-disabled professional, as guardian of this normalisation process, is assumed to be the expert and therefore knows best how to facilitate better social functioning.

(Smith, 2009, 16)

2.4 Comparing the Social and Medical Models of Disability

Carol Thomas (2004) views the dichotomy between the 'social model' and the 'medical model' from a sociological perspective and merges them into two principal domains in a sociology of disability. The first is the domain of 'disability studies' which derived its roots from the social model; the second is 'medical sociology' which looks at disability as caused by illness, entailing suffering and some social disadvantage (570). Thomas reveals that although the scholars of medical sociology recognize that disability is biologically and socially caused, the weight is on the biological cause (576). The social model activists argued that disability is "centrally structured by social oppression and inequality" (571). The key factors of the social model are two-fold. First, the social model clearly distinguishes impairment from disability; second, it defines disability as the outcome of society and not as an individual/medical tragedy (Shakespeare, 2011, 53). In contrast, medical sociology is against the over-socialized view of disability (576). Medical sociology has problems accepting or working within the social model because the emphasis is placed "on the experience of chronic illness and disability, individualising the experience. The analysis is couched in terms of coping, adaption, identity and how individuals make

sense of and come to terms with their impairments and disablement” (Shakespeare & Watson, 1997, 297).

Within the realm of ‘medical sociology’ the clinical/psychological model of disability is also a perspective that posits disability as an individual case and “attributes disabled people’s rehabilitative progress to their motivation or general psychological state, rather than the social context in which they find themselves, or indeed their willingness or otherwise to accept the normalising values of the rehabilitation approach” (Shakespeare & Watson, 1997, 297).

2.5 The Emerging Body and Postmodernist Criticisms of the Social Model

In order to fully understand the current debates around disability, we need to also discuss the postmodernist criticisms of the social model of disability. Because the disability movement was rooted in the social model, it is crucial to grasp the criticisms of this model before reviewing the latest debates about and redefinitions of disability studies.

According to the social model of disability, impairment has been given little attention. A clear distinction should, however, be made between disability and impairment, stating that it is society that disables people, not impairments (Finkelstein, 2004, 15). While establishing UPIAS, Finkelstein argues that the founders confronted a fundamental choice: “Either our tragedy is that the impairments we possess make us incapable of social functioning; or our society is constructed by people with capabilities for people with capabilities and it is this that makes people with impairments incapable of functioning” (15). By opting for the latter choice, the disability movement was defined initially by the social model (Shakespeare & Watson, 1997, 293). This decision was made also because emphasizing impairment

would focus on the medical approach to disability and would therefore threaten the social aspect of the cause by limiting disability to personal cases of tragedy (Thomas, 2004, 23). However, the disregard for impairment within the social model was extended to non-recognition. As Mike Oliver states, “disability is wholly and exclusively social...disablement has nothing to do with the body” (Thomas, 23). Notwithstanding, since 1992 there have been voices and suggestions to the social model of disability to make it more adequate. The critiques have "centered on the inclusion of impairment and personal experience within the social model, and have been adamantly resisted by other activists and theorists of the movement" (Shakespeare & Watson, 1997, 293).

Within the scholarship of disability studies, Shakespeare (2006) reflects the change that has occurred among supporters of the radical view of the social model as he has moved towards a more embodied view of disability as evidenced in his statement about how the “...social model evolved into a rigid ideology claiming that disability was everything to do with social barriers, and nothing to do with individual impairment.” (10). This rigid ideology commonly associated with the social model was later to be criticized by advocates of feminist, post-structural and phenomenological approaches.

The radical divide between impairment and disability was mainly criticized by feminist scholars like Jenny Morris (1991), who argued that the exclusion of our personal bodily experiences is a patriarchal imposition:

... there is a tendency within the social model of disability to deny the experience of our own bodies, insisting that our physical differences and restrictions are entirely socially created. While environmental barriers and social attitudes are a crucial part of our experience of disability – and do indeed disable

us – to suggest that this is all there is to deny the personal experience of physical and intellectual restrictions, of illness, of the fear of dying.

(Morris, 1991, 10)

In line with feminist criticism of the radical social model, an alternative approach to disability politics was put forth by the Liberation Network of People with Disabilities⁴. The network was a disability organization that accepted the proposal of the social model which dealt with issues about the social oppression of the disabled. The network published in 1981 a document called “Liberation Policy of People with Disabilities” which underlined the rights of diverse underprivileged groups; the policy stated that people with disabilities not only belong to this group, but also other groups of powerless minorities. In addition, the document stated that “the cause of the special title, unlike most other classifications (e.g. black) is often an additional drain on the resources of the individual, i.e. it is not inherently distressing to be black, whilst it may be to suffer from painful arthritis.” (19). Thus, the network not only announced the social cause of disability, but also highlighted how impairment was as an inherent cause of the suffering that prevents social inclusion.

Unlike the predominantly male UPIAS, the Liberation Network was mostly formed by women leaders and welcomed the comments and contribution of others. The UPIAS was also a more rigid organization and expelled any conflicting ideas (Shakespeare, 2006, 14). As Shakespeare (2006) propounds: “There is a clear contrast between the Liberation Network’s open style, stressing individual transformation and mutual support, modeled on feminism and personal growth, and the more coherent

⁴ Retrieved from <http://disability-studies.leeds.ac.uk/library/author/liberationnetworkofpeoplewithdisabilities/> on June 5th 2015.

and disciplined approach of UPIAS, modeled on labor movement politics” (14). However, UPIAS remained to be more dominant as an ideology and became the political root of the social model (14).

In order to present a clearer interpretation and definition of disability, Bill Hughes and Kevin Paterson (1997) have criticized the social model using post-structural and phenomenological perspectives. The point of departure for their critique is the idea that the social model has turned the body into that of an exile (325). For a better understanding of the politics of disablement today, they suggest that disability scholars must comprehend and affirm the vitality of the body and its impact on contemporary identity politics. Although the social model “has succeeded in shifting debates about disability from biomedically dominated agendas to discourses about politics and citizenship”, what it proposed became a dualistic approach that separated impairment from disability and divided the Cartesian subject in an uneasy binary opposition (325).

In contrast to the modernist duality of nature and culture, impairment and disability, post-structuralism proposes the discursive construction of what seems to be nature (i.e. bodily sensations) as being fully cultural. Deriving from Foucault’s (Hughes & Paterson, 1997) theory of knowledge and power, the body is understood as a discursive map upon which power is inscribed through language and therefore the body becomes a “historically contingent product of power” (332):

The body or embodied subject is the object of seduction by advertising, interpellation by semiotically loaded commodities, torture by a broad spectrum of political regimes, bitter conflicts over reproductive life and health care, struggles for the revaluation of alternate sexual identities, threats from new epidemic diseases...

(Hughes & Paterson, 1997, 327)

The impaired body in this sense would be a part of the “domain of history, culture and meaning” (326). In the social model, however, the body is purely defined by its biological function; it is a purely natural object and “devoid of history” (329). In this regard, the body is understood in the same way by the proponents of both the medical and the social model of disability:

Indeed, there is a powerful convergence between biomedicine and the social model of disability with respect to the body. Both treat it as a pre-social, inert, physical object, as discrete, palpable and separate from the self. The definitional separation of impairment and disability which is now a semantic convention for the social model follows the traditional, Cartesian, western meta-narrative of human constitution. The definition of impairment proposed by the social model of disability recapitulates the biomedical ‘faulty machine’ model of the body.

(Hughes & Paterson, 1997, 329)

Post-structural theory is an important point of reference when reflecting on the discursive power of the medical profession that constructs the lexicon about people with impairments (333). As medicine acquires its power through naming bodily dysfunctions, the iteration of labels regarding impairment strengthens the discourse so that “the body not only becomes the materialization of its diagnostic label, but also its own set of constraints and regulations” (Hughes & Paterson, 1997, 333).

Although the post-structuralist turn in disability studies has provided a critique of the purely medicalized sense of the body and has raised awareness about the discursive power of language, it nevertheless abolished the body, an entity which is palpable and living. Tom Shakespeare and Nick Watson (1995) argue that post-structuralism “replaces biological essentialism with discursive essentialism” because, through the eyes of the post-structuralist, the body becomes nothing more than a map filled with discursive signs and meanings (334). In response to this theory, Hughes and Paterson

reflect on the vitality of phenomenological thought⁵ to designate a more embodied, rather than disembodied, view of disability.

Phenomenology underlines how the world is experienced through our intentionality. Maurice Merleau-Ponty, a scholar of the study of the phenomenology of the body, stresses that our body is ‘our point of view in the world’ and not separate from the self (Hughes & Paterson, 1997, 335). In line with this view, the impaired body is a ‘lived body’ that experiences “impairment, as well as disability, not in separate Cartesian compartments, but as part of a complex interpenetration of oppression and affliction.” (335). In this context, both of the theories –post-structural and phenomenological– view the body in an anti-Cartesian fashion and see the body both as an experience and a discursive construction. The body therefore cannot be merely reduced to a state of sickness and/or impairment according to the social and medical models, rather it is both the basis of experience and discourse (329).

The ongoing controversial debates surrounding disability theory reveal the need for a sociology that understands the importance of including both impairment and disability and the relations between them. The postmodernist theory, in short, has proposed that “disability is embodied, and impairment is social” (Hughes & Paterson, 1997, 336) and conceptualizes the actual vitality of the body both as a window that opens up to the ‘felt world’, and a map upon which discursive meanings are written.

While discussing a way forward for disability studies, it is suggested that, although the social model was an effective point of departure for disability studies, we need to take into account the ontological and ideological effect of impairment and explore the multiple bio-psycho-social forces that bring disability into being (Thomas, 2004, 25).

⁵ For further reading on post-structuralism and phenomenology see Terry Eagleton’s “Literary Theory: An Introduction” (1996) and “The Idea of Culture” (2000).

Part 2

2.6 Claiming rights: Disability and Legislation

The second part of this chapter provides a historical overview of legislation that is concerned with disability and disability rights. While the most updated international legislation is the *United Nations Convention on the Rights of Persons with Disabilities*, formulated in 2008, it is important to grasp the legislative developments that led to the final formation of this convention and how disability came to be perceived as a human rights issue rather than belonging to the realm of charity.

International human rights instruments have been on the agenda since the 1948 Universal Declaration of Human Rights⁶ which stated that “everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” The resulting covenants after the declaration, such as the International Covenant on Civil and Political Rights⁷ (1966) and the International Covenant on Economic, Social and Cultural Rights⁸ (1966) also stress that rights apply to all groups without distinction of any kind, but disability falls under the category of “other status” instead of being specifically mentioned. An exception to the invisibility of disability in human rights conventions can be found in the UN Convention on the Rights of the Child in 1989 which proposes a more specific approach to the protection of rights:

States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race,

⁶ See Universal Declaration of Human Rights, Article 2, <http://www.un.org/en/documents/udhr/>

⁷ See International Covenant on Civil and Political Rights, Article 2, <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

⁸ See International Covenant on Economic, Social and Cultural Rights <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, *disability*, birth or other status.⁹

In addition to the human rights conventions, there have been declarations at the international level that targeted disability. These are declarations on Mentally Retarded Persons (1971), on the rights of Disabled Persons (1975), on Persons with Mental Illness and Improvement of Mental Health Care (1991). In general these declarations provide frames of reference to ensure the protection of the human rights of disabled persons. In the Declaration on the Rights of Disabled People the term "disabled person" is formulated as "any person unable to ensure by himself or herself, wholly or partly, the necessities of a normal individual and/or social life, as a result of deficiency, either congenital or not, in his or her physical or mental capabilities"¹⁰. It is notable that there is no mention here of environmental barriers or oppression by the society, and the definition of disability is associated with negative connotations such as "deficiency". This definition is a good example of the medical model of disability, discussed above, that situates disability as an "abnormality" and defines it as a purely medical condition waiting to be cured. Although projecting a limited definition, the Declaration on the Rights of Disabled Persons is an important document because of its intent to promote disabled persons' "inherent right to respect for their human dignity"; it also touched upon issues concerning the right to economic and social security, protection against discrimination, and the disabled person's right to medical, psychological and functional treatment.

⁹ See UN Convention on the Rights of the Child, Article 2, <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx> emphasis by the author.

¹⁰ See Declaration on the Rights of Disabled Persons, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/RightsOfDisabledPersons.aspx>

An important point to make while discussing the legislation on disability is the distinction between a declaration and a convention.¹¹ A declaration is a document stating agreed-upon standards that are influential but not legally binding. A convention, on the other hand, is stronger than a declaration because it is enforceable by law. It is a binding agreement between the state parties who have signed it, and there is a promise to uphold the agreements outlined in the convention.

The reports that are received from the state parties that have signed the convention are not received solely by government institutions but also from non-governmental organizations that work on the specific group that is issued in the convention. Hurst (2004) argues that the availability of non-governmental organizations' reports has been a major influence to increase the awareness of disability as an essential problem of human rights. For example, a state party gave a report on how its new education system is free to all children in their country, but an NGO reported that disabled children were not included to this new policy (Hurst, 2004, 298) because they were not considered to be children by the state.

The year 1981 was marked as The International Year of Disabled Persons by the United Nations. It called for a plan of action that later was named the World Programme of Action Concerning Disabled Persons¹² and "is a global strategy to enhance disability prevention, rehabilitation and equalization of opportunities, which pertains to full participation of persons with disabilities in social life and national development". This was an important international document that called out to governments to ensure the rights of persons with disabilities by providing information

¹¹ See http://www1.umn.edu/humanrts/edumat/hreduseries/hereandnow/Part-5/6_glossary.htm#Anchor-Declaration-43098 for further reading on legislative terminology.

¹² See World Programme of Action concerning Disabled Persons, 1982, <http://disability-studies.leeds.ac.uk/files/library/united-nations-world-programme.pdf>

on the absence of specific policies that deal with disability. It also very effectively reflected the heterogeneity of people with disabilities, arguing that different kinds of disabilities encounter different barriers, and all of them have to be approached in different ways.

Published in 1982, the World Programme of Action uses the World Health Organization's definitions for the disability language and emphasizes three terms:

Impairment: Any loss or abnormality of psychological, physiological, or anatomical structure or function.

Disability: Any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human being.

Handicap: A disadvantage for a given individual, resulting from an impairment or disability, that limits or prevents the fulfillment of a role that is normal, depending on age, sex, social and cultural factors, for that individual.

What is important to note in these definitions is the appearance of the term 'handicapped' within the glossary of terms used to describe disability. It is very important to note that even though these definitions are published by the World Health Organization in 1982, the same organization does not include "handicap" in their report on disability in 2011 because of its negative connotation. This clearly shows how the approach to disability has changed in twenty years.

Although the introduction by the UN of the World Programme of Action concerning Disabled Persons was effective in setting up recommendations to member states on how they could implement the full participation of people with disabilities in society, it was not legally binding. In 1987, there was a failed attempt by Italy and Sweden to introduce a convention on the rights of disabled people, but it was not instituted

(Hurst, 2004, 298). Instead of the introduction of a convention, UN General Assembly set up in 1993 the Standard Rules on Equalisation of Opportunities for Disabled Persons which followed the propositions of the World Programme of Action but were again not a legally enforceable instrument and were not mandatory. Nevertheless, “The Standard Rules have proved useful as a lobbying tool and as guidance. They are more concerned with how society is structured, however, than on the individual disabled person’s right to humanity.” (298).

Rachel Hurst (2004) draws attention to a critical point in the international legal instruments concerning disability, a report called Human Rights and Disabled Persons¹³ prepared by Leandro Despouy (1993), UN Special Rapporteur of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities. This document became crucial for the world acknowledgement of disability as a human rights issue by showing that although there are existing international human rights laws, it is evident that disabled people’s rights were systematically denied. The report covered the multiple causes of disability including the violation of human rights and of humanitarian law, insufficient care and cruelty towards children and women, underdevelopment and its various manifestations as a violation of human rights, apartheid, and deliberately inflicted forms of punishment. Also, the report successfully pointed out how people with disabilities encounter continuous prejudice and discrimination, a situation which led Despouy (1993) to make an urgent call for an international human rights convention specifically designed for the rights of people with disabilities (Hurst, 2004, 298). Despite this critical development in the UN’s work on disability rights, it was not until 2001 that a convention was introduced for debate in the UN General Assembly. The Ad Hoc Committee of the General

¹³ Human Rights and Disabled Persons, 1993,
<http://www.un.org/esa/socdev/enable/dispaperdes0.htm>

Assembly explored the proposition and suggested mechanisms to implement it during eight sessions of the assembly held between 2002 and 2006, “making it the fastest negotiated human rights treaty.”¹⁴

2.7 UN CRPD, The WHO Report on Disability and the New Paradigm

The UN Convention on the Rights of Persons with Disabilities (CRPD) was introduced on 13 December 2006 and announced that it was ready for signature by all states and regional integration organizations at the United Nations Headquarters in New York as of 30 March 2007; it entered into force on 3 May 2008¹⁵. As of January 2013, the number of countries that have signed the convention is 155; the number of countries which have formally ratified it is 113, and includes Turkey. The UN CRPD is the most current point of reference on disability rights and is the only convention that is specifically designed for and about persons with disabilities.

Next to the CRPD, another major event in the history of disability related legislation is the World Report on Disability produced by World Health Organization (WHO) in 2011 which encapsulates comprehensive data about the current approaches in disability studies and the disability rights movement, and represents an effective guideline on issues concerning health care, rehabilitation, employment, education, barrier-free environments and recommendations for the future. The importance of the report is derived from its emphasis on the notions of human rights and development while reinterpreting disability in the contemporary world. It is clearly underlined that disability is a human rights issue because:

¹⁴ See <http://www.un.org/disabilities/documents/toolaction/ipuhb.pdf>

¹⁵ See http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15&chapter=4&lang=en

People with disabilities experience inequalities, for example, when they are denied equal access to health care, employment, education, or political participation because of their disability.

People with disabilities are subject to violations of dignity, for example, when they are subjected to violence, abuse, prejudice, or disrespect because of their disability.

Some people with disabilities are denied autonomy, for example, when they are subjected to involuntary sterilization, or when they are confined in institutions against their will, or when they are regarded as legally incompetent because of their disability.

(WHO, 2011, 9)

Although the CRPD is the first convention to recognize and monitor the human rights of persons with disabilities, the Convention is a complement to existing international human rights treaties. It does not introduce or recognize any new human rights of persons with disabilities, but actually “clarifies the obligations and legal duties of States to respect and ensure the equal enjoyment of all human rights by all persons with disabilities.”¹⁶ as stated in UN’s publication *From Exclusion to Equality: Realizing the rights of persons with disabilities* (2007, 3). Next to the well-established rights in other human rights conventions, CRPD includes the guarantee of these laws by including the “right to access buildings, schools, programmes and public transport, a right to live independently and to be included in the community, a right to personal mobility, freedom of expression and opinion, and access to information, the right to have privacy protected, a right to participate in political life and a right to participate

¹⁶ Retrieved from <http://www.un.org/disabilities/documents/toolaction/ipuhb.pdf>

in cultural life, recreation, leisure and sport.” (Harpur, 2012, 5). In addition, the principles of the Convention are formulated as follows:

- (a) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- (b) Non-discrimination;
- (c) Full and effective participation and inclusion in society;
- (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- (e) Equality of opportunity;
- (f) Accessibility;
- (g) Equality between men and women;
- (h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

The UN CRPD established a new perspective “from viewing persons with disabilities as "objects" of charity, medical treatment and social protection, towards viewing persons with disabilities as "subjects" with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society.”¹⁷ The Convention’s purpose therefore is, “to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.”

In response to the ongoing debate about defining disability, the CRPD recognizes that disability is an “evolving concept” and most importantly it “results from the

¹⁷ See <http://www.un.org/esa/socdev/enable/convinfopara.htm>

interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others”. In other words, it is no longer possible to argue that disability results only due to impairment or societal barriers; actually disability is situated in the interaction between, for example, a visually impaired person and the absence of Braille books at a public library.

According to the CRPD, persons with disabilities include “those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others”. In line with this definition, the World Report on Disability (2011) argues that the way to understand disability is through a ‘bio-psycho-social model’ that is defined as

a workable compromise between medical and social models. Disability is the umbrella term for impairments, activity limitations and participation restrictions, referring to the negative aspects of the interaction between an individual (with a health condition) and that individual’s contextual factors (environmental and personal factors)

(WHO, 2011, 4)

At the realm of functioning, disability refers to difficulties encountered in any or all of these three areas of functioning:

Impairments are problems in body function or alterations in body structure – for example, paralysis or blindness;

Activity limitations are difficulties in executing activities – for example, walking or eating;

Participation restrictions are problems with involvement in any area of life – for example, facing discrimination in employment or transportation.

(WHO, 2011, 5)

Recognizing that disability is an evolving concept, Paul Harpur (2012) argues that CRPD mainly is based on the social model of disability but it moves beyond the radical view of the social model and recognizes the impact of impairments on a person's life (2). The medical model has fallen out of favour in the CRPD because of the model's main concern with "fixing" people with disabilities. Although CRPD Articles 25 & 26 state that people with disabilities have a right to health and rehabilitation, "the policies guided by the medical model...continually try to 'improve' a person's physical or mental state rather than focusing on other important public issues such as the removal of environmental barriers in society" (3). Harpur (2012) underlines that "under the CRPD, disability is not regarded as a medical condition requiring assistance but as an aspect of social diversity." (5) On the other hand, the CRPD embraces the social model to remove societal "disablism" but does not suggest radical economic reforms as a solution to disability as is the case with the radical social model (3).

In addition to the rights established by the CRPD, Articles 31-40 ensure implementation and monitoring schemes, and Articles 41-50 provide rules governing the operation of the CRPD. Further, these articles make the Parties States accountable because the "[r]atification of the convention will...require States to think strategically about accessibility and reasonable accommodation for persons with disabilities in all... areas of life" (Melish in Harpur, 2012, 6). The CRPD is important for establishing a new paradigm in disability research because it distinguishes from other human rights conventions which do not have a specific disability focus. In contrast to the previous instruments, the CRPD provides exhaustive detail on how the work for the human rights of people with disabilities should be implemented. (Harpur, 2012, 6). One crucial aspect of the CRPD is stated in the Article 33 (3): "Civil society, in

particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.” Thus, in addition to state reports, the Convention specifically requires states to fully involve disabled people’s organizations in the implementation and monitoring process (Harpur, 2012, 8).

The World Report on Disability (2011) reaffirms the general obligations of States which are ratifying the CRPD. Among other things, they undertake to:

- adopt legislation and other appropriate administrative measures where needed;
- modify or repeal laws, customs, or practices that discriminate directly or indirectly;
- include disability in all relevant policies and programmes;
- refrain from any act or practice inconsistent with the CRPD;
- take all appropriate measures to eliminate discrimination against persons with disabilities by any person, organization, or private enterprise. (9)

2.8 Europe’s Official Response to Disability: EU and the Council of Europe’s Action Plans

Regarding disability policies, Europe’s legal responses were through the action plans designed to promote and ensure the human rights of people with disabilities. The fact that 10 to 15 % of the total population in Europe has a disability became the major drive to establish specific plans to promote disability rights¹⁸.

The most recent plan to ensure the rights of persons with disabilities is the European Disability Strategy 2010-2020 promoted by the European Union. The European

¹⁸ See European Disability Strategy 2010-2020 http://europa.eu/rapid/press-release_MEMO-10-578_en.htm#PR_metaPressRelease_bottom

Commission has announced the need for a strategy to remove the barriers that affect 80 million people in the EU and has set out actions over the next decade. The public response in the EU towards disability was also a drive to plan a strategy. For example a 2009 special Eurobarometer survey of attitudes to discrimination “showed that 53 % of respondents across the EU believed that discrimination based on disability was widespread”.¹⁹ During the public consultation for the Disability Strategy 2010-2020 it was discovered that close to 80 % of respondents agreed or strongly agreed that people with disabilities face discrimination in their everyday activities and almost half of the respondents had experienced indirect discrimination through the experiences of friends or family who had disabilities.²⁰ In response to these results, this EU action plan emerged as an important strategy that hopes to improve the lives of people with disabilities in economic, social, participatory terms in the EU.

The eight areas in which the European Disability Strategy 2010-2020 will take action are identified as accessibility, participation, equality, employment, education and training, social protection, health, and external action. One of the most important focus areas is marked as accessibility because people with disabilities are denied goods, services and participation in political and leisure activities. Next to the inaccessibility of premises open to public, access to transport and mobility is also highlighted by the Strategy. Most importantly, the action plan also covers issues like denied services such as insurance and rented accommodation for people with disabilities, and points out that only 5 % of public websites are fully accessible for people with disabilities. This is why, most recently, the EU Disability Strategy

¹⁹ Ibid.

²⁰ Ibid.

proposed a European Accessibility Act²¹ in September 2012 that “set out a general accessibility framework in relation to goods, services and public infrastructure using different instruments such as standardisation, public procurement or state aid rules”. In addition to accessibility, the EU Strategy is committed to eliminate the barriers that people with disabilities face in exercising their political rights by developing standards for accessible election facilities and campaign material. Because the EU has officially signed and confirmed the UN CRPD, it reaffirms all the rights stated in the Convention and plans accordingly to have a barrier-free Europe by 2020.

While the EU Disability Strategy is the most updated action taken by the EU, the Council of Europe also has an ongoing project called Disability Action Plan 2006-2015²² which contains 15 action lines, including participation in political, public and cultural life, education, information and communication, employment, accessibility of the built environment and transport. In addition, the Disability Action Plan is important because it also draws attention to the needs of women and children with disabilities, and severely disabled people in need of a high level of support.

2.9 Conclusive Remarks: Recommendations from World Report on Disability

The World Report on Disability (2011) states that many of the disadvantages encountered by people with disabilities can be overcome, and many of the barriers faced can be avoided (263). WHO makes nine recommendations for action in order to combat disability discrimination:

Recommendation 1: Enable access to all mainstream policies, systems and services

²¹ European Accessibility Act

http://ec.europa.eu/governance/impact/planned_ia/docs/2012_just_025_european_accessibility_act_en.pdf

²² Council of Europe, Disability Action Plan 2006-2015

http://www.coe.int/t/e/social_cohesion/soc-sp/Rec_2006_5%20Disability%20Action%20Plan.pdf

Recommendation 2: Invest in specific programmes and services for people with disabilities

Recommendation 3: Adopt a national disability strategy and plan of action

Recommendation 4: Involve people with disabilities

Recommendation 5: Improve human resource capacity

Recommendation 6: Provide adequate funding and improve affordability

Recommendation 7: Increase public awareness and understanding of disability

Recommendation 8: Improve disability data collection

Recommendation 9: Strengthen and support research on disability

(WHO, 2011, 264-267)

Acknowledging that more than one billion people are estimated to live with some form disability (261), it is evident that disability is a global concern. Implementing these nine recommendations therefore requires “involving different *sectors* – health, education, social protection, labour, transport, housing – and different *actors* – governments, civil society organizations (including disabled people’s organizations), professionals, the private sector, and people with disabilities and their families”(263). It is only through the cooperation of these different parties that a fundamental change in disability policy can happen.

CHAPTER 3

INCLUSIVE MUSEUMS AND ACCESSIBILITY:

A CRITICAL OVERVIEW

This chapter's purpose is firstly to understand the recent debates concerning new museum theories and the concept of the socially inclusive museum. The second part is devoted to an overview of how museums decided to include people with disabilities as part of their audience. By sharing some of the best practices, this chapter aims to both investigate recent museum theories and provide a practical overview on museum education programs for people with disabilities.

3.1 From Cabinets of Curiosities to the Post-Museum: Museum and its Visitors

In order to understand museums' change in attitude towards people with disabilities, a historical reading of museums' approach to its visitors has to be explored. This section of the chapter is devoted to a discussion of different sources concerning museum education, a history of museological practices concerning diverse audiences, and the inception of outreach programs.

The emergence of museums parallels the concepts and ideologies of the Enlightenment (Hooper-Greenhill, 2000, 13). Museums are institutions that "came into being in the period that we now characterise as the Modern period" (13). The institutional attempts of the first museums were made to construct knowledge that would be marked by reason and rationality, excluding the previous superstitious and subjective production of knowledge (Hooper-Greenhill, 2000, 13). As Hooper-Greenhill (2000) argues, "the Enlightenment inherited the dream of Descartes --- the

attempt to escape from the confinements of tradition and the already known, and to base all knowledge on what could be deduced from reason alone” (13). Along these lines, Janet Marstine (2005) states that “[t]raditionally, museums frame objects and audiences to control the viewing process, to suggest a tightly woven narrative of progress, an ‘authentic’ mirror of history, without conflict or contradiction.” (5). The traditional museum (or the modernist museum, in Hooper-Greenhill’s words), is marked by collecting, classifying and producing a universal knowledge accompanied by the control of how objects are interpreted both by museum professionals and museum visitors. In contrast, in her book called *New Museum Theory and Practice: An Introduction*, Janet Marstine (2005) explains that in the postmodern museum predetermined frames that control the objects and the viewing processes “are challenged, fragmented, and made transparent as the museum declares itself an active player in the making of meaning”(5).

The challenge that museums have started to propose as an institutional self-critique are outlined in detail in Stephen E. Weil’s (1999) prominent article “From Being about Something to Being for Somebody: The Ongoing Transformation of the American Museum”. Weil (1999) explains how the traditional museum focus is shifting from being a “primarily inward [institution focusing] on the growth, care, and study of its collection” to becoming a museum with its primary focus as being an “outward [institution] to concentrate on providing a variety of primarily educational services to the public” (227). One of the ways in which this shift has started, is the increase in the number of museums that opened after World War II and the readjustment of finding resources outside of governmental funds to assure the sustainability of museums. However, more than the means to attract sponsors, private foundations and non-governmental sources to ensure the financial stability of the

museum, Weil argues that “the museum’s growing preoccupation with its audience may also be attributed to the tremendous increase of professionalism within the museum community during the postwar years” (233), and also to the growth of professional associations focused on museums and their policies. Weil claims that the increase in policy positions that were taken by these associations, like the International Council of Museums (ICOM), and the American Association of Museums (AAM) have played an important role in shifting the expectations of both museum professionals and the public (233).

From the beginning of the 1970s, there has been a prominent change in policy at museum associations such as ICOM. Weil defines the turning year at ICOM’s evolving position as 1971 at the ninth general conference for its members:

Rejecting as "questionable" what [ICOM] called the "traditional concept of the museum" with its emphasis "merely" on the possession of objects of cultural and natural heritage, the conference urged museums to undertake a complete reassessment of the needs of their publics in order that they, the museums, could "more firmly establish their educational and cultural role in the service of mankind." Rather than prescribing any monolithic approach to this task, individual museums were urged to develop programs that addressed the "particular social environment[s] in which they operated."

(Weil, 1999, 233)

Although urging museums to emphasize their educational role has caused a major shift for these institutions to become outward looking institutions, historically speaking museums already had an educational role embedded in their mission. George E. Hein (1998) points out in his book *Learning in the Museum* that “education as a crucial museum function has been recognized as long as there have been public museums” (3). From the first attempts to display objects for the entertainment of the

public in the 18th century into the increasingly institutionalized museums of the 19th century, Hein (1998) indicates that there is a parallel between the growing power of the nation-state's response to its citizens and that nation-state making collections accessible to and for the enjoyment of the public; i.e. the welfare of citizens is listed among the responsibilities of the newly emerging nation-state (3). The motivation behind making collections accessible beyond a limited class of citizens is seen as "an expression of the eighteenth-century spirit of Enlightenment which produced an enthusiasm for equality of opportunity of learning" (Hudson in Hein, 1998, 3) therefore "pre-existing museum models based on the private princely and scholarly 'cabinets of the world' were reinvented as open public museums" (Hooper-Greenhill, 2000, 14). Janes & Conaty (2005) explain how, with the French Revolution, "collections that had belonged to the Crown, the Church and the aristocracy became the property of the State and were put on exhibit for all the people of France" (2) when the Louvre Museum opened in 1793, becoming one of the first public museums of the world.

Marstine (2005) outlines four different paradigms for a museum. Museum as a Shrine, Market-Driven Industry, Colonizing Space, Post-Museum are paradigms around which current debates about what constitutes a museum (9). "Museum-as-a-Shrine" is a paradigm that is mostly conceptualized as the traditional museum. Among the longest-standing definition is to envision a museum as a sacred space and entails the belief that a museum is a place removed from the outside world, where objects are protected as treasures, and "prioritized over ideas" (10). As a shrine, the museum is devoted to making acquisitions, caring for its collection and posits itself as a connoisseur. In the long-standing vision of museum-as-a-shrine, education "is based on 'trickle-down' theories and there is little interest in defining the audience or

opening two-way communication with communities” (10). In addition, museum-as-a-shrine establishes an authority over its visitors, and expects certain acceptable behaviors in return. According to this, Carol Duncan’s (1995) important book, *Civilizing Rituals: Inside Public Art Museums*, defines the art museum as a ritual site (7). Through its buildings, bearing features of Greco-Roman architecture with rotundas, Classical porticos and such, museums resembled temples, but this time they were detached from religious or superstitious foundations, expressing secular and rational ideals of the new civic realm (10). In addition to the architectural form, the public art museum resembled temples and shrines because they offered a space for the performance of certain rituals: “Like most ritual space, museum space is carefully marked off and culturally designated as reserved for a special quality of attention ---in this case, for contemplation and learning. One is also expected to behave with a certain decorum.” (Duncan, 1995, 10).

This special quality of attention, contemplation and learning in the traditional museum is explained in a detailed manner in Eilean Hooper-Greenhill’s “Changing Values in the Art Museum: Rethinking Communication and Learning” (2000). She elucidates the museum’s communicative aim toward its visitors and draws attention to how the traditional modernist museum adopted an authoritative stance toward its visitors by enlightening and educating them, by providing knowledge so that it may be absorbed (15). The particular view of learning and communication in the modernist museum is explicated as follows:

The ‘transmission’ model of communication understands communication as a linear process of information-transfer from an authoritative source to and uninformed receiver. Knowledge is seen as objective, singular and value-free. The receiver of the message to be communicated is conceptualized as open to the reception of the message, which is received more or less efficiently, and in the same way by all.

(Hooper-Greenhill, 2000, 15)

This type of one-way communication was also accompanied by the formulation of what constitutes an ideal visitor in the traditional museum. From the end of the 18th century, learning was conceived to be taking place through the sense of sight. By ‘learning at a glance’ (Hooper-Greenhill, 2007, 190) visitors were expected to quickly absorb the visual information that was displayed in exhibitions. The eye was seen as a direct conduit to the mind, where learning took place effectively through the correct display of objects (190). An important feature of how learning was perceived in the traditional museum is as a disembodied experience. Because knowledge was conceived to be absorbed by the mind, the body was perceived as a potential problem in the museum. (Hooper-Greenhill, 2007, 190). Based on the Enlightenment division of mind and body as separate entities, “the mind was thought to be concerned with universal and higher matters, while the body, with its earthlier tendencies, was based in the here-and-now” (Hooper-Greenhill, 2007, 190). While touch, smell and taste were deemed to be problematic, sight was seen as the reliable source of rational knowledge.

The ocular-centric view on learning in the traditional museum was not the norm from the inception of early museums. Constance Classen (2005) elucidates that touch was the master of senses until the end of the 18th century and that museum visitors were expected to touch the objects for a full comprehension of what was being exhibited (275). As the handling of objects was encouraged, visitors had access to the “mysterious and the curious”(278) in the early museum. Classen (2005) argues that the “museum as we know it is a product of the nineteenth century social and sensory ideals”. While handling the objects in the early museum was encouraged, by that time touching in the museum had meant vandalism and disrespect to objects (282). The

emergence of malls, the parallel between cities being illuminated and objects in the exhibitions being lit are examples to how vision became a primary sense of Modernity (283). Like Carol Duncan's (1995) argument on how museums inflict a particular comportment on its visitors, Classen (2005) also reflects that:

The hope of late eighteenth- and nineteenth-century museologists was that the museum would have a civilizing and educational effect on the general public. For this to happen, however, museum visitors could no longer be permitted to run around and grab everything; they must learn to control their bodies as they enlightened their minds. They must learn to keep their voices low, their pace measured, and their touch restrained.

(Classen, 2005, 282)

In addition to the mind-body dualism which glorified the enlightenment of the mind over the body, Hooper-Greenhill argues that social hierarchies were also based on this separation, "with those whose lives were thought to be defined by bodily processes and activities, which included women, labourers and the disabled, being seen as of lesser value than those whose lives were defined by intellectual achievements" (191) hence perpetuating a conscious decision to exclude visitors with disabilities into museums.

3.2 The Post-Museum as Representation of Social Inclusion

In contrast to how the traditional museum has communicated with its visitors from an authoritarian point of view, "the post-museum actively seeks to share power with the communities it serves" (Marstine, 2005, 17). Instead of the transmission model of communication, the post-museum admits that visitors are not passive consumers and encourages diverse communities to become active participants of the meaning-making process in museums (Marstine, 2005, 17). The term post-museum is coined by Eilean Hooper-Greenhill (2007), which suggests an institution that is in constant reevaluation

of its agendas and decision-making processes. The most important feature of the “post-museum” resides with the approach toward its visitors. Hooper-Greenhill elucidates that the post-museum strives towards the promotion of a more egalitarian society; “and its practice and operations will be informed by an acceptance that culture works to represent, reproduce and constitute self-identities and that this entails a sense of social and ethical responsibility” (2007, 189).

Drawing attention to the social responsibility of museums, Elaine Heumann-Gurian (2006) explains in a detailed manner of the change in power over the decision-making processes in the museum. By exposing the fact that museums historically are staffed with and visited by “white, well educated” people, she proposes an internal checklist on social responsibility in areas ranging from acquisition to administration and underlines the question: “Who decides?” to draw attention to the taken-for-granted quality of traditional museums establishing themselves as an authority (72). Inviting museums to be more self-conscious in the area of public programming, Gurian asks these following questions:

- What audiences are these programs geared to?
- Where are the programs publicized?
- Does the staff reflect the diversity of the audience?
- Does the staff reflect the diversity of the local surroundings?
- Is there a range of public offerings that match a range of interests?
- Who decides?

(Gurian, 2006, 72)

The emergence of museums as socially responsible institutions was further explored through growing discussions on how to combat social inequality within the political realm, especially in the UK and Europe in the late 1990s (Sandell, 1998, 403). Richard Sandell (1998) discusses how the cultural policy of the UK has shifted after

the election of New Labour in 1997, by putting the term “social exclusion” at the center of all government policies and political rhetoric.

In his prominent article “Museums as Agents of Social Inclusion”, Sandell (1998) points out the economic, social and political dimension of the term “social exclusion” and asks what roles museums play in perpetuation of this dynamic process (407). For Sandell, museums can represent institutional exclusion by operating “a host of mechanisms which may serve to hinder or prevent access to their services by a range of groups” (407). He gives an example of social exclusion of minority groups from political, economic and social dimensions and illustrates how museums perpetuate this exclusion by failing “to tell the stories of those groups and deny[ing] them access to its services through mechanisms of exclusion (non-representation within collections and displays, selective promotional targeting, admission charges, etc.)” (408). Along these lines, Sandell suggests that museums can directly or indirectly cultivate forms of social exclusion, in the same way museums can actively decide on strategies for social inclusion (408). In order to pursue specific strategies of social inclusion in museums, Sandell argues that we need to understand the cultural dimension of exclusion next to the social, economic and political exclusion of certain groups. Within the cultural dimension, Sandell proposes three main elements:

(i)Representation— the extent to which an individual’s cultural heritage is represented within the mainstream cultural arena;

(ii)Participation— the opportunities an individual has to participate in the process of cultural production; and

(iii)Access— the opportunities to enjoy and appreciate cultural services (which can incorporate both (i) and (ii) above)

(Sandell, 1998, 410)

Sandell (1998) further exposes the increasing focus in museums' policies about issues of representation, participation and access regarding groups "traditionally under-represented in their visitor profiles" (410).

The idea of institutional reevaluation in museums that are geared towards perpetuating inclusion of diverse audiences has been identified by Lang, Reeve & Wollard (2006) as the democratization of culture, referring to the removal of barriers that would hinder individuals participating in culture (6). In this regard, Sandell (1998) formulates the qualities of the inclusive museum:

A growing body of research has sought to identify the barriers which exclude different audiences and, in response, museums have initiated projects which seek to enable access and broaden audiences. In this way, museums are seeking to become more inclusive, to tackle their legacy of institutionalised exclusion and, through addressing issues of representation, participation and access, to promote cultural equality and democratisation. The inclusive museum then, tackles social exclusion within the cultural dimension, although the inter-related nature of the process of social exclusion, outlined above, suggests that this might lead to positive outcomes in relation to the other dimensions.

(Sandell, 1998, 410)

3.3 The Museum as Agent of Accessibility for People with Disabilities

Stephen Weil (1999) explained how museums started to be more self-conscious about how they serve the society in which they exist by connecting this cultural evolution to the advancement in museum professionals producing new policies and the pressure coming from national and international organizations like AAM and ICOM. Griselda Pollock and Joyce Zemans (2007) also draw attention to the emergence of Museum Studies as an academic discipline in the early 1980s which "shifted the focus from the canonizing model of art historical adoration of the painting... to a postmodernist critique of institutions and representations".

Coinciding with the declaration of the UN International Year of Disabled Persons in 1981, United Nations Educational, Scientific and Cultural Organization (UNESCO) published a pioneering document called “Museums and Disabled Persons” about access issues for people with disabilities in museums that perpetuated an international invitation to museums for a reevaluation of their visitor profile and the inclusion of communities who were not previously welcome in the museum setting. Following the UN Declaration on the Rights of Persons with Disabilities announced in 1975 and the growing shift from the medical model to social model of disability discussed in Chapter 2 (which underlined the idea that barriers in society are the primary reason for lack in access to economic, social and cultural benefits for people with disabilities) this document addressed the up-to-date concerns about the full participation of people with disabilities in museums and sets out suggestions for better access. *Museums and Disabled Persons* elucidates that

Museums have a responsibility systematically to eliminate existing handicapping conditions and to consider the disabled in plans for future exhibits and buildings. The disabled have been making complaints about poor access to public buildings for nearly half a century. Yet we see relatively new museum buildings where access is limited to the sighted and fully mobile visitor because of poor architectural planning. Even buildings that are designed to provide physical access often have built within them exhibits that give limited or no access to those who are disabled.

(UNESCO, 1981, 146)

Similar to this document, Janice Majewski’s *Part of Your General Public is Disabled: A Handbook for Guides in Museums, Zoos, and Historic Houses* published in 1987 draws attention to the growing responsibility on the museum’s part to make these institutions accessible for people with disabilities. UNESCO’s document and Majewski’s (1987) guide for docents on how to welcome people with diverse

disabilities could be interpreted as a pioneer resource that reflects the growing potential of museums in the late 1980s to become agents of social inclusion.

Although discussions on the social model of disability, and the right to access culture and inclusive practices escalated during the 1980s, Kevin Hetherington's (2003) interpretation of specific programs for people with disabilities began much earlier than that.²³ He gives examples on how the Tate Gallery organized a touch tour for people who were blind or partially sighted in 1976, but nevertheless argues that a systematic approach to inclusive practices in museums did not start until the introduction of the Disability Discrimination Act in 1995, which is a legislative framework that deems it illegal to discriminate against people with disabilities in the UK (Hetherington, 2003, 104). In line with this legal advancement in the UK, the Americans with Disabilities Act was introduced in 1990 as the most comprehensive federal disability-related legislation in the United States of America, which in John Salmen's (1998) words was "revolutionizing the way we conduct programs and provide services, as well as the way we plan, design, build and manage museum displays and facilities" (8). In his guideline *Everyone's Welcome: Americans with Disabilities Act and Museums*, Salmen (1998) provides a comprehensive view on how we can understand accessibility in a museum setting and in what ways museums can strategically plan to be fully accessible towards people with diverse disabilities.

For Salmen (1998), accessibility in museums means "making the site's exhibits and programs available to all visitors", in which the goal is to diminish physical, communication and policy barriers (3). Next to the physical access which underlines

²³ Charles Steiner (1992) states that accessible museum services for people with disabilities have not been dependent on law and have started years before systematic focus on this museum audience. He gives an example from The Metropolitan Museum of Art in New York, when in 1913 the secretary of the museum gave a lecture on the sculpture collection providing Braille and touch tours. *The Accessible Museum: Model Programs of Accessibility for Disabled and Older People*, 12.

the removal of barriers to allow visitors to move about independently in a museum, Salmen also introduces communication access and attitudinal access as important layers of accessibility (3). In his words, “communication access can mean providing assistive hearing and visual aids and services to help people communicate freely. Attitudinal access can mean being sensitive to human diversity, so that people feel included and respected.” (Salmen, 1998, 3).

Jaeger & Bowman (2005) define access as “the right to participate equally in ways that are not constrained by physical or mental limitations” (63). Next to Salmen’s (1998) understanding of access, Jaeger & Bowman (2005) narrow the forms of access to physical and intellectual access. Physical access in their formulation includes communication and attitudinal access, making sure people with disabilities are included and not discriminated. In addition to this, intellectual access means access to information and “how the information is categorized, organized and represented” (Jaeger & Bowman, 2005, 67).

In addition to accessibility for people with disabilities, Landman et al (2005) propose that improved access standards in a museum is beneficial for every kind of visitors and improves the quality of museum visit. For example:

- Improving physical access helps parents with prams, older people and people with a physical injury or a temporary disability (e.g. a broken leg).
- Large print on labels helps people who use glasses, older people and young people.
- Plain English helps younger people and people from non-English speaking backgrounds (including tourists)
- Providing subtitling for the Deaf or people with a hearing impairment will benefit people with limited English, who may be able to read English better than they can understand spoken English.

- Making signage simple and legible will benefit tourists.

- Alternative presentations, for example multi-sensory exhibits, provide different points of reference for everyone (Fishburn, 2002h, p 19).

(Landman et al., 2005, 20-21)

3.4 Inclusive and Emancipatory Practices for Visitors with Disabilities at MoMA

During my Community and Access Programs internship at the Museum of Modern Art in New York, I was exposed to a variety of inclusive practices geared towards making the museum accessible for people with disabilities. This part of the chapter aims to first present and analyze the overall institutional effort of making MoMA accessible for all and then analyzes the education programs specifically designed for people with disabilities.

The overview of MoMA's efforts to be an accessible institution will be evaluated using John Salmen's (1998) Nine Building Blocks of Accessibility that include the following recommendations: (1) having an accessibility statement; (2) an accessibility coordinator; (3) accessibility advisory council; (4) staff training; (5) review of existing facilities and programs; (6) planning for accessibility; (7) promoting and advertising accessibility in the museum; (8) grievance procedures; and (9) ongoing review of access efforts. By using this evaluation framework, this part of Chapter 3 aims to set an example of accessibility review for all museums while providing information on how MoMA sets itself forth as an accessible museum that uses inclusive and emancipatory practices.

(1) Accessibility Statement

The Museum of Modern Art defines accessibility in a museum as the quality of participation for all abilities²⁴ and makes sure access issues are not addressed only by the department of education but are looked upon as an overall institutional effort. Salmen (1998) describes the first requirement for accessibility across the museum as the need for an accessibility statement that would include “commitment to accessibility in the museum’s general policy or mission statement” (35). The mission statement of MoMA includes the term accessibility by stating:

The Museum of Modern Art seeks to create a dialogue between the established and the experimental, the past and the present, in an environment that is responsive to the issues of modern and contemporary art, while being *accessible* to a public that ranges from scholars to young children.

In addition to the mission statement, Salmen (1998) argues that “embracing the concept of accessibility is essential at the highest levels of the museum, as well as among all support staff.” (36) Accessibility Taskforce is one of the institutional efforts at MoMA that was founded in 2012 to make sure the museum is accessible to all visitors and to highlight the prominence of accessibility across departments. The taskforce is a group of senior-level directors from various departments within the museum (ie. Curatorial Department, Security Office, Department of Education) who take part in joint meetings twice a year to discuss improvement for the museum's accessibility standards and reevaluate the accessibility statement produced by the museum.

²⁴ Interview with Assistant Director of Schools, Community and Access Programs at the Museum of Modern Art, April 2015.

(2) Accessibility Coordinator

The second step towards being an accessible museum is the appointment of an Accessibility Coordinator. Salmen (1998) proposes that an accessibility coordinator is needed in a museum to “serve as an in-house accessibility consultant and staff liaison on a daily basis for all museum exhibits, programs, activities and events” (37). The Museum of Modern Art has an appointed full-time coordinator for Community and Access Programs that is within the Department of Education. This position requires ensuring all monthly and on-request access programs for people with disabilities run smoothly and helping organize all events related to inclusion of people with disabilities. Next to the coordinator of Community and Access Programs, this division includes four full-time employees that ensure accessibility across the museum and develops specific education programs and material for people with diverse types of disabilities.

Salmen (1998) argues that an accessibility coordinator should be familiar with accessibility issues confronted by people with disabilities and be knowledgeable about laws and regulations concerning this particular audience (37). The accessibility coordinator at MoMA is responsible for regular evaluation of the museum’s compliance with Americans with Disabilities Act and effectively acts upon any potential threat comprising of the legal framework that concerns people with disabilities. Furthermore, the accessibility coordinator at MoMA actively pursues academic writings on disability studies and consciously formulates MoMA as reflecting the social model of disability.

(3) Accessibility Advisory Council

To create an accessible museum environment, the formation of an accessibility advisory council is highly suggested by Salmen (1998, 38):

The council may provide expert advice to the accessibility coordinator, director, and museum board on the institution's policies and practices regarding physical, programmatic, and communication accessibility and recommend specific action for increased accessibility.

The members of this accessibility advisory council could be formed by visitors with disabilities who regularly benefit from the museum services and are aware of accessibility issues, professionals from local disability organizations and museum employees. This type of an advisory council is not available in MoMA's strategy for accessibility. However, the formulation of new initiatives that concerns people with disabilities, are initiatives that take regular advice from individuals with disabilities, disability activists and academics that focus on that particular subject.

The active participation of people with disabilities in a museum's programming process is important for its reflection of two recent museum practices: Nina Simon's (2010) book *Participatory Museum* and Heather Hollins' (2010) chapter "Reciprocity, Accountability, Empowerment: Emancipatory Practices in the Museum" in *Re-Presenting Disability: Activism and Agency in the Museum* are canonical sources to reflect on how to be inclusive for a particular audience such as people with disabilities. Nina Simon (2010) reiterates Stephen Weil's(1998) important essay headline as museums being for someone rather than about something, and adds one more layer by proposing a participatory museum that is about something, for and *with* someone.

In this vein, Hollins (2010) advocates the importance of using emancipatory disability research, a new paradigm that "aims to give disabled people control over the research agenda, seeks to benefit those involved in the research process and ensure that outputs are accountable to disabled people, in the way their views and experiences are

represented” while thinking about museum accessibility. In Hollins’ (2007) view²⁵, the fundamental issue concerning layers of access in a museum is access to power. (95). Museums are successfully accessible to people with disabilities only if they consult and work with people with disabilities in a way that “breaks down power hierarchies and challenges institutional discrimination” (Hollins, 2007, 95). In this perspective, MoMA consciously invites participation of people with disabilities from the inception to the implementation of each program although it lacks an accessibility advisory council that meets regularly as Salmen (1998) suggests.

(4) Staff Training

The fourth block for having an accessible environment in museums is the availability of regular staff training to raise disability awareness. Salmen (1998) suggests that all paid and volunteer staff need to become familiar with accessibility issues. MoMA in this regard has two layers of training on access for people with disabilities. While Community and Access Programs in MoMA’s Department of Education gives trainings to employees, they reflect on the general accessibility issues concerning people with disabilities and raise awareness on attitudinal access within the museum. Next to this type of staff training, there is also more in-depth training for museum educators and volunteers who take part in access programs catering to people with disabilities. If a volunteer is appointed throughout the year to take part in an access program that is designed for people who are blind, he or she will have received a program-specific training on how to best communicate with this particular disabled audience. An example for accessibility guideline for staff training is available in chapter 4 of this thesis.

(5) Review of Existing Facilities and Programs

Salmen(1998) suggests a regular self-evaluation on museum's side to make sure all activities, programs and facilities in the museum are fully accessible to people with disabilities. He also proposes that the accessibility coordinator should guide the process of inspection of all facilities that concern people with disabilities and should make a document ready as a record of the museum's compliance efforts. Furthermore, Salmen (1998) argues "this document should be approved, dated, and made available for public inspection upon request" (43). Although MoMA has a regular self-evaluation that checks all facilities at the museum in terms of ADA compliance, the museum does not make the document public²⁶.

(6) Planning for Accessibility

This accessibility block is devoted to the removal of physical barriers on an ongoing basis within the museum. Salmen (1998) argues that once a museum has its programs and facilities ready, it should have a written plan for any accessibility modification necessary for the future.

(7) Promoting and Advertising Accessibility in the Museum

A museum's commitment to accessibility can be expanded by publicizing effectively all accessible facilities, programs and services within the museum (Salmen, 1998, 47). This block of accessibility is effectively implemented by MoMA, which uses press releases, seasonal mailings, social media, newsletters, email subscriptions and the museum website to announce its facilities to all its audience. In all documents and

²⁶ For an example of an access audit checklist, see Appendix A.

publicity that are announced, MoMA makes sure to use the universal accessibility symbols²⁷.

(8) Grievance Process

Under the Americans with Disabilities Act, a visitor has a right to file complaints and lawsuits if a museum is not committed to compliance with accessibility standards (Salmen, 1998, 48). In order to avoid formal complaints, Salmen suggests a grievance process to receive any complaints regarding accessibility issues to be responded directly by an appointed person within the museum, often being the accessibility coordinator. MoMA provides contact information and formal complaint forms regarding any accessibility complaints that would arrive from visitors and it strives to respond immediately.

(9) Ongoing Review of Access Efforts

The final recommendation for an accessible environment in museums is a long-term implementation of policies and “systems to incorporate accessibility into all new projects, programs and activities” (Salmen, 1998, 49). In this regard, MoMA’s long-term and evolving commitment to make exhibitions accessible to people with disabilities is a good example for inclusive practices within museums. *Interpretation, Access and Design Standards* is a document produced in 2012 cross-departmentally at MoMA to ensure exhibitions at the museum are both physically and intellectually accessible to diverse audiences including visitors with disabilities. Months in advance of the opening date of an exhibition, a cross-departmental team of curators, educators, editors, and designers come together to formulate the interpretive approach.

²⁷ See Appendix B for Universal Access Symbols.

3.5 Access Programs at MoMA

Regarding accessibility in museum education programming, Access Programs at MoMA are divided in two parts. One is an on-request education tour and art making programs for schools, support groups, community centers and individuals. The second group of access programs is designed monthly for four specific groups of disabled visitors; Meet Me at MoMA is an access program designed for visitors with dementia and their caregivers; Art in Sight is an access program for people who are blind or partially sighted; Create Ability is an access program that consists of a gallery tour and art making session for people who have learning or developmental disabilities; Interpreting MoMA is an access program for people who are deaf or hard of hearing. All these education programs that are geared towards people with disabilities have in common the quality of active participation and visitor empowerment. Tours are designed in an inclusive manner that prompts creative inquiry and opens a discussion between visitors themselves and the museum educator.

CHAPTER 4

ACCESSIBLE MUSEUMS IN TURKEY: AN OVERVIEW AND TWO CASE STUDIES

The purpose of this chapter is to present the research that was carried out on access issues of people with disabilities in Turkey and provide an analysis of two private museums in Istanbul regarding their accessible programs. The first part of the chapter will set forth current debates and legislation concerning people with disabilities in Turkey and will comment on how museums in Turkey have started to respond to this specific community's right to access cultural institutions. The second part of the chapter will present and assess the institutional efforts of two private museums from Istanbul, namely the Pera Museum and the Istanbul Museum of Modern Art to make their collections and services accessible to all.

4.1 Exploring Accessibility in Turkey: Between Rights and Charity

The first nation-wide research on people with disabilities in Turkey was carried out during a population census in 2002, and uncovered the fact that more than 12% of Turkey's population has one form of disability (İnan et al. 2013, 726). During the same research which was published in 2003, it was further revealed that 1,25% of the disabled population has an orthopedic disability, 0,6% has low vision or is blind, 0,4% is deaf or hard of hearing, 0,5% has a learning or developmental disability, 0,4% has speech difficulty and 9,7% has a psychiatric or chronic disease. The percentage of people having more than one form of disability reaches 11,4 % among the general of population of people with disabilities (İnan et al. 2013, 726).

Bezmez and Yardımcı (2010) give an informing account on the socio-economic conditions of people with disabilities in Turkey in their article called “In search of disability rights: Citizenship and Turkish disability organizations” while exploring the rights-based approach within the disability movement in Turkey. According to the authors, there is an absence of a rights-based discourse in the struggle of people with disabilities in Turkey (612) because of the impact of Islamic discourse underlining a charity-based approach and state protectionism towards people with disabilities that hinders a citizenship-oriented view (Bezmez & Yardımcı, 2010, 612).

While marking the reasons behind the absence of a rights-based approach towards people with disabilities in Turkey, Bezmez and Yardımcı (2010) highlight the literacy and unemployment rates among people with disabilities. Referring to TUBITAK (Turkish Republic Prime Ministry Administration for Disabled People, the Scientific and Research Council of Turkey) and the State Planning Organization findings in 2002, it is evident that 30 to 60 % of people with disabilities are illiterate (608). Counting the numerous ways of exclusion that people with disabilities face in society, Bezmez and Yardımcı point out that the physically inaccessible environment puts a significant sector of people with disabilities with limited mobility home-bound. In addition, college education is not accommodating enough to the needs of people who are deaf or hard of hearing, “and people with learning difficulties seem to be excluded even from mainstream disability organizing” (Bezmez and Yardımcı, 2010, 608).

In a recent report prepared by Sabancı University on disability rights in Turkey, Elzi Menda et al. (2013) underline the legal advancements that rendered a more rights-based approach concerning the rights of persons with disabilities. Bezmez (2013) argues that one of the reasons why a rights-based approach in Turkey became visible in recent years is the result of the intensifying relationship between Turkey and its

accession process to the European Union, in addition to the ongoing relationship between supranational agencies like the United Nations (101).

The introduction of law 5378²⁸ marks a milestone in Turkey's efforts to prevent discrimination against people with disabilities in Turkey as it is the first legal framework to exclusively deal with disability. In Bezmez's words, "Among other things, this law encumbered the municipalities with the task of rendering public transport, spaces and buildings accessible for disabled people within seven years of its introduction." (2013, 101). Although a promising initiative to build a new language for disability rights in Turkey, both Bezmez (2013) and Menda et al. (2013) agree that the national and supranational efforts to bring forth new legal frameworks concerning the rights of people with disabilities have been influential in promoting a rights-based approach but have failed in implementation (102). The absence of legal enforcements in case of breach of the law 5378 makes it unsuccessful and prohibits it from being embraced cohesively (Bezmez, 2013, 102). As Bezmen highlights:

...the underlying mechanism reinforcing such citizenship-oriented approaches is rooted on the impact of the UN and the EU on disability policy in Istanbul and Turkey. The declaration of the period 1983-92 as the UN Decade of Disabled Persons (Gümüř: 2008, 98), Turkey's ratification of the UN Convention on the Rights of Persons with Disabilities in May 2009... and shadow reports prepared for the UN by Turkish disability NGOs assessing government actions in this field have all been influential in the creation of a new language and formulation of new legislative and institutional frameworks. In practice, however, such rights-based approaches are barely visible.

(Bezmez, 2013, 102)

Menda et al. writes that one of the visible national efforts to make cities more accessible for people with disabilities was seen during Istanbul's election as 2010

²⁸ Engelliler ve Bazı Kanun ve Kanun Hükmünde Kararnemelerde Deęişiklik Yapılması Hakkında Kanun. See Appendix C for the full legal framework in Turkish.

European Capital of Culture (2013, 23). The authors argue that Istanbul Metropolitan Municipality's efforts that have begun to prevent discrimination against people with disabilities have accelerated after the inception of an "Accessible Istanbul for Everybody" coordination council and platform in 2008 which includes officials from Istanbul Metropolitan Municipality, county municipalities, governorate, representatives from various NGOs and people with disabilities (23). Between the years 2008-2012, the council for an "Accessible Istanbul for Everybody" conducted more than 50 meetings to make Istanbul an accessible city for all and collectively produced a technical guideline²⁹ for physically accessible buildings and environs to be distributed as a guide for all future work to be carried out by municipalities (Menda et al. 2013, 23).

In her article "Urban Citizenship, the Right to the City and Politics of Disability in Istanbul", Dikmen Bezmez (2013) states that the Accessible Istanbul for Everybody Platform is an important example of Turkey's change in language from a charity-based approach to rights-based approach; Istanbul is conceived as an urban space to be accessed by all without perpetuating the discourse of providing extra "help" for people with disabilities (106). Though an instrumental step on paper, Bezmez concludes that the introduction of the law 5378 and consecutive work carried out by Istanbul Metropolitan Municipality remain far from successful implementation. The positive change of disability policy in Istanbul appears to be a matter of prestige for local governments rather than a real change in implementation, "especially... when the popularity of discourses on disability coincide with an emphasis on Istanbul's prestige as a 'world city' and its recent distinction as the 2010 European Capital of

²⁹ Yerel Yönetimler İçin Ulaşılabilirlik Teknik El Kitabı retrieved from <http://engelsiz.beun.edu.tr/wp-content/uploads/2013/06/ulasilabilirlik.pdf> on June 1st, 2015

Culture” (Bezmez, 2013, 106). In addition, Menda et al. (2013) point out that the reason why Istanbul is still an inaccessible city amid all the legal frameworks, municipal efforts, trainings and technical documents is because there is a lack of coordination, inefficiency in standardization and corporatism, lack of information and empathy at the corporate and societal level (23).

A recent project that has its inception in 2013 and was introduced by the Istanbul Metropolitan Municipality appears to be more proactive in implementing accessibility standards throughout the city and focuses on tourism centers and museums in Istanbul. This project is a continuation of the “Accessible Istanbul for Everybody” project and is called the “Accessible Tourism-Abled Istanbul Project”³⁰. Its goals are:

- To make a contribution for Istanbul to reach the sustainable global rivalry level with the applications oriented for the accessibility requirements in culture and art.
- To support the participation of disabled people in the cultural and artistic activities without being needed to help with accessibility applications that are formed with an understanding of equity.
- To contribute to the cultural change and transformation which disabled people provide towards the knowledge and vision that they had by visiting the museums.
- To mediate between the museums and related nongovernmental organizations and social partners that comprise of other sectoral components for working collectively.
- To call attention to the awareness about the accessibility necessities of the people with disabilities.³¹

This project is funded by the Istanbul Development Agency and is run by the Public Relations Directorate of Istanbul Metropolitan Municipality; it includes eight museums in Istanbul, namely Topkapı Palace Museum, Hagia Sophia Museum, Istanbul Archaeological Museums, The Great Palace Mosaic Museum, Chora

³⁰ The Turkish name of the Project is “Engelsiz Turizm-Erişilebilir İstanbul”, the translation is taken directly from the Project website’s English version. Retrieved from <http://erisilebiliristanbul.ibb.gov.tr/> on May 5th, 2015.

³¹ The English translation is taken directly from the project’s website. Retrieved from <http://erisilebiliristanbul.ibb.gov.tr/> on May 5th, 2015.

Museum, Rahmi M. Koç Museum, Miniaturk and the Panorama 1453 History Museum. The project primarily offers physical accessibility to all these museums first by evaluating their current accessibility standards with a group of experts from the Directorate for People with Disabilities³² and then provides free excursions to these museums, starting from Rahmi Koç Museum, and following a route as seen in the map on the website:

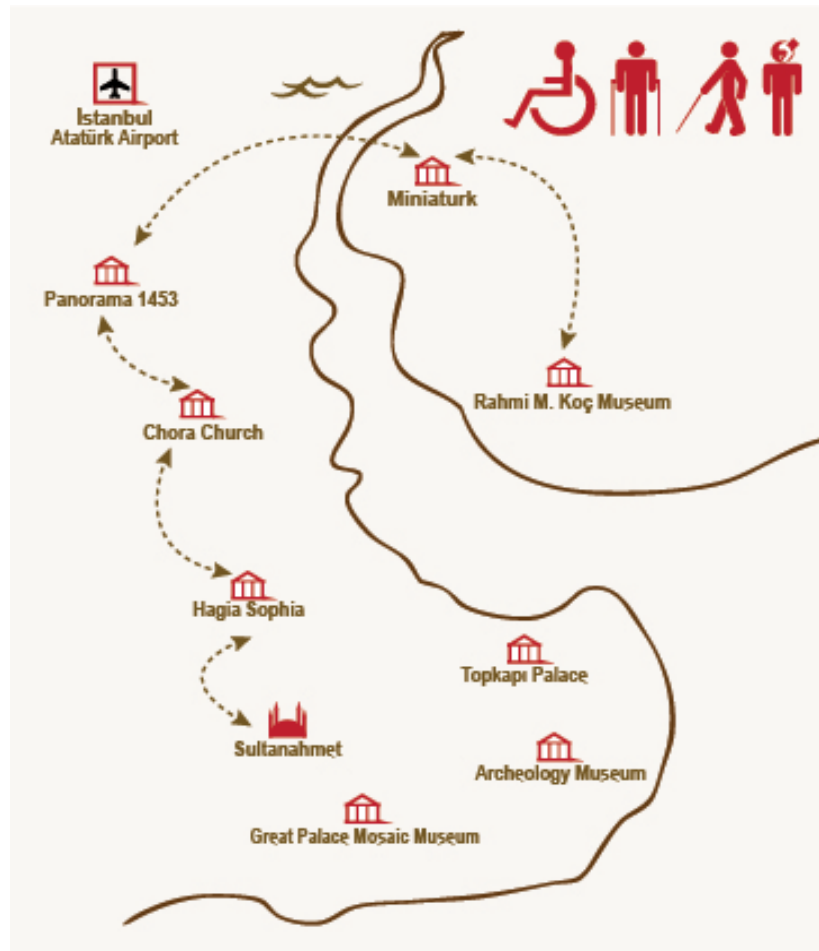


Fig. 1: Map of Museum Route for the Project “Accessible Tourism-Abled Istanbul”³³

Apart from providing free transportation to the museums listed above, the project also took significant steps to provide intellectual accessibility to these museums through the project’s website. Information about each museum on the project’s website

³² İstanbul Engelliler Müdürlüğü. Retrieved from http://www.ibb.gov.tr/tr-tr/kurumsal/birimler/engellilermudurlugu/Pages/AnaSayfa.aspx#.VVkH7_ntmko on May 5th, 2015.

³³ Retrieved from <http://erisilebiliristanbul.ibb.gov.tr/> on May 10th, 2015.

includes a sign language interpretation both in Turkish and in English about the museum’s history, collection and services for people who are deaf or hard of hearing. Apart from sign language, there is a video providing detailed descriptions about the museum for people who are blind and partially sighted. Sign language interpretation is a primary focus of the project. To have a better communication with the deaf community in Istanbul, 22 museum personnel and 30 personnel from the municipality took sign language interpretation lessons through 2013. The information pamphlet designed by the municipality includes an accessibility table regarding the museums taking part in the project:

THE ACCESSIBILITY TABLE OF THE PROJECT MUSEUMS			
Hagia Sophia			
Archeology Museum			
Great Palace Mosaio Museum			
Chora Church			
Miniaturk			
Panorama 1453			
Rahmi M. Koç Museum			
Topkapı Palace			

Fig. 2: Museum Accessibility Table for “Accessible Tourism-Abled Istanbul”³⁴

³⁴Retrieved from <http://erisilebiliristanbul.ibb.gov.tr/> on May 10th, 2015.

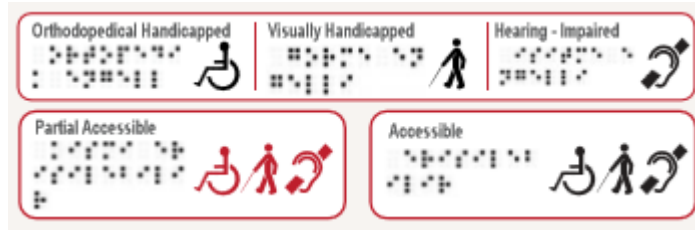


Fig. 3: Table for Accessibility Standards for People with Disabilities³⁵

Although the pamphlets provide basic information on accessibility services in museums that take part in the project, the language used to define the kinds of disabilities is problematic and should be altered as the discourse used reveals that the mind-set upon which this program is founded is still grounded in a charity-based approach to disability. For example, instead of writing “orthopedically handicapped, visually handicapped and hearing-impaired”, the appropriate names to use, according to Office of Disability Issues in the UK³⁶ would be “visitors with limited mobility, visitors who are blind or partially sighted and people who are deaf or hard of hearing”. A detailed version on how to use appropriate terminology about disability can be found within the “Proposal for Pera Museum’s Accessibility Guideline” and will be further explained within this chapter.

After a conference co-organized by UNICEF and the General Directorate of Services for People with Disabilities and the Elderly in December 2012, additional progress by the state was made to develop a better language concerning people with disabilities and this has been the legal change from the term “özürlü” (meaning handicapped or crippled) to “engelli” (person with a disability).

³⁵ Retrieved from <http://erisilebiliristanbul.ibb.gov.tr/> on May 10th, 2015.

³⁶ Retrieved from <https://www.gov.uk/government/publications/inclusive-communication/inclusive-language-words-to-use-and-avoid-when-writing-about-disability--2> on June 28th, 2015

4.2 Accessible Museums from Istanbul: Two Case Studies

The Pera Museum and Istanbul Modern, both located in Istanbul, are two museums that were researched as case studies for this thesis in order to investigate how accessibility is determined institutionally and how inclusive practices are implemented through their education programs.

The Pera Museum and Istanbul Modern were selected to provide a perspective on the emerging interest museums in Turkey have demonstrated in providing accessible programs for people with disabilities. As mentioned in Chapter 3, there is a growing literature in the United Kingdom, the United States of America and Australia (Walters 2009, Cachia 2014, Landman 2005) that explores the definition of access in museums and illustrates how museums differ institutionally about their respective layers of access. However, no extensive study currently exists which assesses the content of museum education programs created for people with disabilities in Turkey. This chapter therefore is committed to an overview of existing programs at Pera Museum and Istanbul Modern. The chapter further aims to provide an analysis and suggestions on how art museums can measure their progress in accessibility.

This research should be of particular interest to museum educators because it addresses a significant gap in the museum studies literature in Turkey and proposes assessment guidelines to determine how two museum outreach programs are striving to achieve accessibility for visitors with disabilities. This research, therefore, provides a much needed study of an increasingly important topic in museum studies in Turkey.

4.2.1 Methodology and Research Questions

A widely accepted definition of case study research is that it “involves an investigator who makes a detailed examination of a single subject or group or phenomenon” (Borg and Gall, 1989, 52). Departing from other quantitative social science research methods such as experiments and archival research, a case study is defined by the object of the study’s uniqueness and specificity (Stake, 2003, 52). Having chosen Pera Museum and Istanbul Modern for the specific purpose of examining their accessible programs, this study aims to bring forth a comparative analysis of current museum education standards in Turkey.

The two museums selected for this research, Pera Museum and Istanbul Modern were chosen intentionally. The reasons for the choice of these museums were:

- (1) Availability of a concurrent education program specifically designed for people with disabilities
- (2) Access to museum staff and disability policy information, and
- (3) The intention of limiting this comparison to privately funded museums

In addition to these two in-depth case studies, several other museums³⁷ were contacted in order to provide a wider perspective in understanding access issues in museums in Turkey. Open-ended interview questions were designed to gather data from the participants on specific topics, such as disability issues and accessibility, social inclusion, outreach and museum education. Respondents were then probed for additional information based on their initial responses. All interview questions were

³⁷ The museums that were contacted are Istanbul Health Museum, SALT Galata/Beyoğlu, Rahmi Koç Museum and the Istanbul Archaeological Museums.

reviewed and approved by the Human Research Committee at Koç University so that an ethical agreement between the researcher and the interviewee was established.³⁸

The research questions for the study were formulated to access an institutional attitude towards persons with disabilities at these museums. In total, there are three interviews conducted at Pera Museum with the museum director, the education officer and the freelance museum educator. At Istanbul Modern, three interviews were conducted with three members of Social Projects team within the Department of Education.

The questions are as follows:

1- Müzede erişimi nasıl tanımlarsınız? How do you define accessibility in a museum?

2- Müzenizde engellilere yönelik hangi tür eğitim programlarınız mevcuttur? What kind of programs in your museum are available for people with disabilities?

3- Eğitim departmanınızda erişimden sorumlu bir çalışanınız var mı? Is there an employee specifically responsible for the programs concerning people with disabilities in the education department?

4- Engellilere yönelik müze eğitiminde hangi konuda daha çok gelişmeye ihtiyaç olduğunu düşünüyorsunuz? Which areas, in your opinion, need to be improved concerning education programs for people with disabilities?

5- Çalışıyor olduğunuz engelli bireylerden sistematik bir geribildirim alıyor musunuz?

Do you receive systematic feedback from people with disabilities who participate in your programs?

³⁸ The application form submitted to the Committee on Human Research at Koç University that was approved can be accessed in full at Appendix D in Turkish.

6- Eğer varsa, engellilere yönelik yaptığınız çalışmaların başlangıç aşamasında, o gruptan engelli bireylere proje içeriğini danışıyor musunuz? If available, do you consult people with disabilities while planning for new education programs that concern them?

These questions were formulated through a set of theoretical and practical studies that have been published previously. To understand the level of access and the museum professional's attitude towards the term's formulation, the first question was not formulated in a way that would direct the respondent. Instead of asking about physical access, partial access or full access at the museum, the question was open-ended and aimed to prompt discussion on the term accessibility and how this term is defined within the particular institution. Diana Walters' (2009) article "Approaches in Museums towards Disability in the United Kingdom and the United States?" presents a good example of interview questions that helped me formulate my own. The first three sets of questions: the definition of accessibility, the availability of programs for people with disabilities and the appointment of an accessibility coordinator are based on a set of questions posed by Walters (2009, 31-32) in her article to see the degree of accessibility effort within the museum. The third question on the availability of an accessibility coordinator is also a recommendation from John Salmen's (1998, 36) "Nine Building Blocks of Accessibility" which he proposes as a way to achieve a fully accessible institution guided by an in-house staff member.

The last three questions are focused on the organization and content of education programs for people with disabilities. Whether visitors with disabilities are included or excluded in the process of decision making for new programs, and whether the museum has a way to evaluate and receive regular feedbacks from disabled visitors regarding their programming. The last question on the involvement of disabled

visitors at the inception of programs relate to the assessment of new museological practices like participatory museum suggestions by Nina Simon's (2010) and Heather Hollins' (2007) emancipatory practices for people with disabilities in the museum.

Next to the research questions that were directed to museum education staff at each museum, further data was collected through reviewing website material, brochures, press releases and usage of social media. The critique of the research on these museums is assessed in the concluding chapter of this thesis.

4.3 Case Study: Pera Museum

4.3.1 The Museum

Pera Museum is a private museum founded by the Suna and İnan Kıraç Foundation in 2005. It is situated in Beyoğlu, one of the liveliest historical quarters of Istanbul. The foundation's three permanent collections, "Orientalist Paintings", "Anatolian Weights and Measures", and "Kütahya Tiles and Ceramics" are exhibited throughout the year next to temporary exhibitions encompassing both national and international artists' works. Although not specified as the museum's mission statement on its website,

Pera Museum seeks not only to diffuse the aesthetic beauty of these collections but also to create dialogue with the public concerning the values and identities that they encompass. Utilizing a full scope of innovative methods, including exhibitions, publications, audio-visual events, educational activities, and academic works, the objective of transmitting the beauty and importance of these works to future generations is realised.³⁹

4.3.2 Accessible Museum Education at Pera Museum

Since 2008 Pera Museum has been offering education programs to a wide range of visitors. Designing education programs accompanying both permanent and temporary

³⁹ Retrieved from www.peramuseum.org.tr on May 2nd, 2015.

exhibitions, Pera's largest outreach audience consists of school groups coming to the museum on weekdays. In comparison to the museum's less articulated mission statement, the education department has a clear statement about what the museum aspires to offer in terms of its educational goals:

Pera Museum's Program of Education aims to introduce young people to art, *to make it accessible* and to create awareness for museum-going by building a bridge between the audience and the works of art. Based on interpretation and creativity, through the program activities creativity is underlined. Apart from on-going programs of the Museum Collections, temporary exhibition programs have parallel educational events where a wide range of age groups are welcome to join.⁴⁰

Pera Museum offers numerous programs that help connect a diverse range of people in the community the museum serves and thus enables Pera Museum to function as an institution that encourages social inclusion. Through reaching out to municipalities in Istanbul, Pera Museum tries to connect with underserved school areas and introduces school children and teenagers to a variety of education programs. Apart from tailoring programs for school groups, Pera Museum also organizes family art activities and special programs for holidays.

In an effort to be accessible to broader audiences Pera Museum offers two education programs that are specifically designed for people with disabilities. The museum serves primarily two groups of people with disabilities: Visitors with Alzheimer's or dementia and visitors who have learning or developmental disabilities.

On the museum's website, there is a clear effort to underline the institution as an accessible museum that is responsive towards visitors with disabilities:

⁴⁰ Retrieved from www.peramuseum.org.tr on May 2nd, 2015. Emphasis by the author.

Pera Museum recognizes the diversity of our general public's abilities and needs, and we offer a variety of programs and services to ensure the accessibility of the Museum and its collection. The Museum is accessible to wheelchair users and other visitors who need to avoid stairs. Elevators are located throughout the building. Wheelchair-accessible restrooms are available. Admission is free for all disabled visitors and one companion.

4.3.3 Alzheimer Project at Pera Museum

Pera Museum launched “Alzheimer Project” in September 2014, a monthly program that “has been specifically designed for the elderly, enabling the participants to explore and discover an interest in art by providing access to the museum.”⁴¹ By making agreements with nursing homes in Istanbul each month, Pera Museum offers both exhibition tours and art-making activities for people with Alzheimer’s or dementia. One of the features of this program is that it only offers exhibition tours in their permanent collection galleries but also they have changing calendars for temporary exhibitions too. Pera Museum’s Alzheimer’s Project is a pioneer in museum education programs in Turkey which cater to visitors who have Alzheimer’s or dementia.

4.3.4 Pera Education Program for Students with Learning and Developmental Disabilities

Pera Museum offers education programs for students with learning and developmental disabilities since 2009, four years after the museum’s inauguration in 2005. Organized jointly with schools that are specifically designed for students with learning and developmental disabilities, this program offers education tours and art-making sessions twice a week, each time with a different group of students. These

⁴¹ Retrieved from www.peramuseum.org.tr on April 17th, 2015.

education programs consist of a tour within the permanent exhibition galleries with an educator who is specialized in catering to this type of an audience, and an art-making session is provided after the tour. Before the tour starts, students are introduced to the museum educator and a short discussion on what a museum is, what a collection consists of, and how one should behave in a museum is discussed. Through this discussion, the museum educator underlines the fact that the specific environment that the group is in is not an educational setting like a school but a museum building which has different missions and functions. On the museum's English website, this education program is listed below as "Disabled Groups" and does not specify which group of disability the program caters to, and makes a general statement:

These sessions geared towards disabled people aim to enhance creativity and self-expression skills, problem solving and motor skills by reinforcing trust in a secure and creative museum environment by especially enabling them to have a good time through the workshops and museum tours.⁴²

Both the Alzheimer's Project and education program for students with learning and developmental disabilities are organized jointly through partnerships with nursing homes, special education schools and local governments. The system of organizing these programs at Pera Museum is not through independent registrations coming from families or disabled individuals but through specific organizations.

4.4 Case Study: Istanbul Modern

4.4.1 The Museum

The Istanbul Museum of Modern Art is a private museum founded in 2004 devoted solely to modern and contemporary art, both nationally and internationally. The museum building consists of 8,000 square meters and is situated in Tophane area, on the shore of the Bosphorus. The museum hosts its permanent collection called "Past

⁴² Retrieved from www.peramuzesi.org.tr on May 15th, 2015.

and Future”, which presents “a comprehensive overview of the evolution of modern and contemporary art in Turkey through 180 works by 136 artists.” (Istanbul Modern: Past and Future, 2013). Apart from its permanent collection, Istanbul Modern also exhibits international artists, takes part in the Istanbul Biennial and develops international partnerships with renowned museums like Centre Pompidou in Paris and The Museum of Modern Art in New York. The mission statement of Istanbul Modern is as follows:

Istanbul Modern embraces a global vision to collect, preserve, exhibit and document works of modern and contemporary art and *make them accessible* to art lovers. As part of its commitment to sharing Turkey’s artistic creativity with wide audiences and promoting its cultural identity in the international art world, Istanbul Modern hosts a broad array of interdisciplinary activities. Apart from permanent and temporary exhibition galleries, a photography gallery, and spaces for educational and social programs, the museum offers a cinema, restaurant, design store and an extensive library.⁴³

4.4.2 Accessible Museum Education at Istanbul Modern

Education was at the heart of programming and the museum’s mission since Istanbul Modern’s inauguration in 2004. The mission statement of the Istanbul Modern Education Department⁴⁴ is

to give viewers from all age groups and walks of life the opportunity to enjoy modern and contemporary art in a friendly setting. While seeking to make modern and contemporary art more understandable so as to make it *accessible* to everyone, the department also strives to create a public educational and collaborative platform for visitors, artists and to all actors in the art world.

The overall museum education programs at Istanbul Modern are geared towards a diverse profile of visitors ranging from school groups, teenagers and adults. Next to

⁴³ Retrieved from www.istanbulmodern.org on May 10th, 2015. Emphasis by the author.

⁴⁴ Retrieved from http://www.istanbulmodern.org/en/education/education-at-istanbul-modern_431.html on May 5th, 2015 Emphasis by the author.

free school programs for kindergarten, primary school and secondary school students, Istanbul Modern also offers music workshops for teenagers and workshops led by artists geared towards adult participants.

4.4.3 We Meet and The Color I Touch: Programs for Visitors with Disabilities at Istanbul Modern

Istanbul Modern caters to two different groups of people with disabilities: Children with learning and developmental disabilities and children who are blind and partially sighted. “The Color I Touch” is a program that caters to children who are blind and partially sighted. Through exhibition tours, workshops, and audio described film screenings, İstanbul Modern “acts as a mediator to introduce children to art: during exhibition tours, which are based on the idea of reading art, children get to explore and interpret artworks; in workshops where they use diverse materials they concretize their dreams in the fabric toys they design or transpose them into tales they create; at the İstanbul Modern Cinema they watch screenings of audio described animations after which they interpret these.”⁴⁵ Children are given layouts of the museum plan in Braille alphabet and are encouraged to touch replicas of some of the sculptures at the museum’s permanent collection.

Through “We Meet”, the museum offers a unique integration project for students who have learning and developmental disabilities. The education program is a collaborative project between Istanbul Modern, schools for children with learning and developmental disabilities and secondary schools. The aim of the project is to bring together students with learning and developmental disabilities work with non-disabled students around the same age and participate in an exhibition tour at Istanbul Modern followed by an art-making session. The prominent feature of this program is that the

⁴⁵ Retrieved from http://www.istanbulmodern.org/en/education/social-projects/the-color-i-touch_787.html on May 5th, 2015

museum aims to be a facilitator for children who have these types of disabilities to participate in social life and foster awareness for non-disabled students on topics of disability and access issues. With this project, Istanbul Modern organizes three-part visits to the museum with the same group of non-disabled students and students with learning and developmental disabilities. Before the first visit, non-disabled students are asked to reflect on their expectations from this project and they receive a preliminary training on disability awareness. During the visits, both student groups participate in education tours that take place in the galleries and then have art making sessions. At the end of all the sessions, both student groups are asked to submit feedback to the museum about their experiences and what they have learned.

CHAPTER 5

CONCLUSION:

TOWARDS ACCESSIBLE MUSEUMS IN TURKEY

This thesis aimed to present and introduction to current inclusive museum practices for people with disabilities in Turkey by elucidating on disability theory and rights, new museum theories regarding audience development, accessibility action plans for museums and disability policies in Turkey. Finally, it presents two case studies from private museums in Istanbul in order to provide examples of current museum education programs geared towards people with disabilities.

After the introduction of Law 5378 in 2005 that focused on non-discrimination against people in Turkey, specific policies and projects were introduced to remove barriers for people with disabilities in topics concerning workforce, healthcare, housing and participation in social life. Combined with supranational pressures coming from the EU and the UN, Turkey started to use a rights-based language instead of charity-based language in its political rhetoric regarding people with disabilities and therefore projects were initiated to include this specific community. While my initial interest was about how Pera Museum and Istanbul Modern cater to people with disabilities, this thesis also contains detailed information on efforts made by local governments to make multiple museums more accessible in Istanbul.

In addition to current accessible museum practices in Turkey, this study also offers a detailed analysis of New York's Museum of Modern Art's accessibility action plan as an encouragement to other museums to establish their own institutional access strategies. Apart from accessibility strategies, this thesis also provides a checklist for art institutions that want to take accessibility into account.

5.1 Layers of Access at Pera Museum and Istanbul Modern

Through conducting interviews with museum professionals, observing programs and reviewing website material, Pera Museum and Istanbul Modern were asked about their layers of accessibility within their institutions.

These two museums are both pioneers in establishing socially inclusive museum practices in Turkey, by providing specific services to people with disabilities. While Istanbul Modern and Pera Museum do not encompass a variety of disabled groups in their museum education programs, they nevertheless have an overall institutional will and belief that museums can play a major role in social change. By consciously catering to people with Alzheimer's and dementia, blind and partially sighted children, children with learning and developmental disabilities, these two museums set an example for the idea that the museum can serve as an "agent for social regeneration" (Sandell, 1998) geared to improving individuals' quality of life by removing barriers to enjoy arts and cultural heritage.

While offering full physical accessibility within the museum buildings, both Pera Museum and Istanbul Modern also aim to offer intellectual access by programming specific education tours for people with disabilities. Through observation of education programs at Pera Museum in April 2013 and October 2014, and at Istanbul Modern in October 2014, I had direct access to these two museums' programming of tours and art making sessions for people with disabilities. In addition to observing tours, interviews (October 30th 2014 at Pera Museum and March 10th 2015 at Istanbul Modern) were conducted to better learn these two museums' view on accessibility. In both of the museums, the common quality of the tours was a lack of a structured theme, of which I think had an important weight during the programs I observed and led at the Museum of Modern Art. Hubbard (2014) proposes that a thematic education

tour can “provoke interpretive depth in relation to discrete aspects of the work” (117) and supports the constructivist theory of learning where the visitors are given the independence to make meanings on their own and build their own learning process. At Pera Museum’s Alzheimer Project tour that was taking place on a temporary exhibition, there was an introduction to the exhibition’s theme and historical framework but there was no pre-selection of a number of artworks upon which discussions could be based. The tour covered almost every art work on the exhibition spread over three floors of the museum, which gave no chance for in-depth discussion over selected art works, and provided no thematic focus. Rather, it resulted in fatigue in elderly visitors. In addition, this one-way communication with the museum audience is particularly problematic when catering to visitors with disabilities, as the purpose of any programming for this audience has to underline active participation and empowerment.

Istanbul Modern’s approach to providing intellectual access is similar. For example, during my observation of the program We Meet, the tour consisted of giving the task of finding three art works to students with learning disabilities and having a short description on the technical aspects of these paintings. While students seemed to have enjoyed looking for the paintings they were supposed to find in the gallery, they were not given time to understand the artwork’s context or any theme related to what was being exhibited. Every access programs tour at MoMA has a thematic focus that enable visitors to get engaged more easily with the art work and have more opportunity to interact with each other. In addition, the educator’s role is merely defined as a facilitator and not as an authority who ‘teaches’ art to a disabled audience.

Among the other major differences between these two museums in Turkey and my observations at MoMA was the way visitors are registered to education programs. While all monthly access programs require individual registrations and do not invite schools or organizations, Pera Museum and Istanbul Modern have only access programs co-organized with schools, nursing homes or specific organizations. This lack of individual participation in the museum programs by people with disabilities might be interpreted as a deficiency on museums' policy on not engaging individuals with disabilities but only groups into their programs. There may also be a lack of trust on the part of the disabled visitors about how they would be included in a museum; or they may not know enough about these museums' accessible facilities.

Regarding access to disability information on websites, Pera Museum provides explicit information on the services they provide for people with disabilities and offers free entrance for the disabled visitor and one caregiver, which removes financial barriers to visit the museum. In contrast, Istanbul Modern only issues that the museum is wheelchair accessible and does not provide further information on their accessible services. In addition, both of the museums lack information on how to get to the museum if a person has a disability, which is basic information that could be provided easily.

Institutional concern for making the museum accessible is currently limited to the efforts of museum professionals working in departments of education in both museums. Pera Museum outsources a museum educator to provide tours for students with learning and developmental disabilities and uses an in-house staff for leading programs for people with Alzheimer's. The in-house staff member is appointed to overview all education programs at the museum so there is no specific staff member solely focused on access programs. At Istanbul Modern there are three staff members

who work under ‘Social Projects’ and oversee the programs for visitors with disabilities. One person solely focuses on developing programs for children who are blind or partially sighted and other program responsibilities are distributed among these three persons.

In terms of attitudinal access, both museums articulated their commitment to informing their staff members on how to communicate with people with disabilities but did not have written guidelines. This particular guideline is prepared for Pera Museum but could be adapted easily to any other museum and its staff that wants to use the appropriate language towards people with disabilities. The guideline is based largely on the Smithsonian Guidelines for Accessible Exhibition Design and MoMA’s staff training pamphlet and is adapted for the needs of the Pera Museum.

5.2 Proposal for Pera Museum’s Accessibility Guideline

This pamphlet should be distributed to all staff including volunteers for disability awareness in and beyond the museum.

Communicating with Visitors with Disabilities

Pera Museum

Contents

Introduction and Contact Information

Attitudes and Language

Appropriate Words and Phrases

Visitors who use wheelchairs, crutches or canes

Visitors who are blind or partially sighted

Visitors who are deaf or hard-of-hearing

Visitors with developmental or learning disabilities

Pera Museum acknowledges that visitors with disabilities are part of our general public and assures a commitment to accessible services and programs throughout the museum. This accessibility guideline points out basic information on how to interact with visitors with disabilities.

Pera Education Contact Information

02123349900(4)

egitim@peramuzesi.org.tr

Attitudes and Language⁴⁶

People with disabilities are not suffering from, victims of, or afflicted by their disabilities. They are living with their disabilities.

People with disabilities are not overcoming their disabilities. They are overcoming the barriers that the architecture or attitudes of people surrounding them create.

People with disabilities don't want to be portrayed as courageous or tortured. They want to be portrayed as individuals who find alternative means to accomplish everyday activities.

Appropriate Words and Phrases⁴⁷

Yes	No
People with disabilities	The handicapped, the disabled
People who are deaf or hard of hearing	The hearing impaired, deaf-mute
People who are blind or have low vision ⁴⁸ or are partially sighted	The blind, the sightless
Wheelchair users	Those confined to wheelchairs, wheelchair bound
People with limited mobility	The crippled, the lame, the handicapped ⁴⁹
People with cognitive disabilities	The retarded, the mentally deficient
People with mental illness	Schizophrenic (as a generic), the insane, mad ⁵⁰ , crazy
People with learning disabilities	Dyslexic, the retarded

⁴⁶ This section is taken from the document called "Communicating with Individuals with Disabilities" prepared by The Museum of Modern Art (MoMA) Access Programs.

⁴⁷ As noted in Smithsonian Guidelines for Accessible Exhibition Design, 6 <http://accessible.si.edu/pdf/Smithsonian%20Guidelines%20for%20accessible%20design.pdf>

⁴⁸ As an alternative to people who have low vision, people who are partially sighted can also be used.

⁴⁹ Added from the document called "Communicating with Individuals with Disabilities" prepared by The Museum of Modern Art (MoMA) Access Programs.

⁵⁰ Excerpted from the document called "Communicating with Individuals with Disabilities" prepared by The Museum of Modern Art (MoMA) Access Programs.

Visitors who use wheelchairs, crutches or canes

1. Make sure to be on the same eye level with the visitor.
2. Speak directly to the visitor, avoid speaking to a caregiver, attendant or companion.
3. Always ask if the visitor using a wheelchair wants to be pushed. Do not push the wheelchair without permission.
4. Avoid leaning on a wheelchair or other assistive device.
5. When giving directions within the museum, consider giving directions via the elevators and give details on curbs in the galleries, any level changes or inclines.
6. Do not assume a person with limited mobility also has a cognitive disability.

Visitors who are blind or partially sighted

1. Always start the conversation by introducing yourself and any other people who might be with you.
2. Notify the visitor when you leave his or her side. Do not walk away without telling him or her that you're leaving.
3. Do not raise your voice while conversing with a person who is blind. Speak with your normal speed and tone of voice.
4. Always ask if the blind person needs assistance. If assistance is accepted, do not hold his/her arm, but rather allow the blind person to hold your arm. Give the blind person clear directions and notify any level changes, narrow passageways and specify your own position by saying "I'm on your left" or "I'm on your right."

5. Remember that if a noisy environment can distract a sighted person, it is even more distracting to a blind person who greatly relies on his or her sense of hearing.
6. Address the visitor directly by his or her name when starting a conversation so that he or she is aware of whom you are speaking to.

Visitors who are deaf or hard-of-hearing

1. Make sure you are speaking directly to the visitor who is deaf or hard of hearing and not to a companion, caregiver or sign language interpreter.
2. If the visitor who is deaf or hard of hearing is not seeing you directly, wave your hands to gain eye contact. If it is an emergency, it may be necessary to tap on the person's shoulder.
3. Avoid speaking with a slow pace. You can speak at a normal speed but keep the sentences short. You do not need to shout or exaggerate lip movements.
4. Always keep a pen and pencil if you are notified a deaf or hard of hearing person/group will be coming to your museum.
5. When speaking, always face the deaf or hard of hearing group. Keep your hands away from your mouth.
6. While speaking, use facial expressions that match what you are saying. Gestures, mimicry and body movement are aids to communicate effectively.

Visitors with learning and developmental disabilities

1. Remember to treat adults with learning and developmental disabilities as adults.
2. Always speak directly to the visitor, not to a companion.
3. Be prepared to repeat what you say, speak slowly and distinctly. Be patient.

4. It is instrumental to make visitors with learning and developmental disabilities feel comfortable. Make sure you have a reassuring and welcoming demeanor.
5. Wait for the visitor to ask for assistance. In a non-patronizing way, give short and clear instructions or directions.
6. Tell the visitor what to do instead of what not to do. Showing an example of what you mean might be more effective than telling the instructions.



5.3 Conclusive Notes for Further Research on Museums and Access Issues in Turkey

The challenging factor of researching on accessible museum programming in Turkey is the lack of a specifically designed cultural policy and legislation that would make it illegal to discriminate against people with disabilities in museums. Legal frameworks like the Americans with Disabilities Act make museums legally accountable to prepare fully accessible institutions. Therefore, it would not be fair to compare a country like Turkey that was recently introduced to legislation regarding people with disabilities to countries like the UK and the USA that have a long history of anti-discrimination legislation dating back to the 1960s. In this line, I do not propose that any framework that is used for museums in these countries could be identically translated and implemented in museums in Turkey. However, I propose the visibility of specific programs for people with disabilities in museums in Turkey can promote disability awareness, celebrate inclusive practices and have a positive effect on a larger social scale that could prompt a more comprehensive cultural policy in this country.

Both Pera Museum and Istanbul Modern have the ability and resources to perpetuate the rights-based approach towards people with disabilities through their accessible services but nonetheless require a more structured action plan to become fully accessible. Even though these requirements are not legally binding, these two museums can set an example by providing physical and intellectual access to people with disabilities as an institutional commitment.

Regarding emancipatory practices concerning persons with disabilities and museums in Turkey, further effort is needed to include persons with disabilities into the process of designing any kind of accessible programming within the museum structure.

Because this thesis is primarily concentrating on the museum professionals' point of view, a further research in this field would require collecting data from disabled participants taking part in museum education programs in Turkey.



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APPENDICES

Appendix A⁵¹

Accessibility Starter Kit

Accessible Arts' Starter kit is a tool to be used for an initial venue and organisation access appraisal. It is a simple audit for disability access to venue and events and may provide the basis for public information that can go onto the website, marketing material or an access information sheet. This will also inform your organisation's Disability Action Planning.

Some practices are legislated, yet many of the guiding principles for increased accessibility make good sense as well as being good business practice.

Aspects of disability access to consider include:

- Consultation – committees, forums, surveys, social media, formal and informal feedback
- Parking, public transport and accessible paths of travel
- Physical access: ramps, handrails, door handles and doorways, lifts, amenities
- Services – accessibility of event program, customer service and flexibility
- Attitude – disability awareness, equitability, respect, inclusion, diversity
- Affordability – companion card affiliate, comparable costs and opportunities
- Information – how to get there, disability facilities and services, signage
- Access to information – accessible website, alternate formats, options for communication
- Capacity building and partnership – mainstream and disability sector promotion

Thinking about access at the very earliest planning stages of your event means thinking about the access requirements of staff, public and artists or performers who may have a disability.

Inclusive practices remove the disadvantages and enable everyone to have a choice to participate equally.

⁵¹ Retrieved from Accessible Arts website <http://www.aarts.net.au/resources/accessing-the-arts/>

VENUE	YES	PART	NO	ACTION
Wheelchair access is available at the main entrance; booking office; performance venue				
Public spaces in the venue are accessible to people using a wheelchair or mobility aid				
There are clear and considerate paths of travel in the venue for people using a wheelchair				
Hearing augmentation is present and maintained in public address spaces				
Noise levels in venue are moderated to aid hearing at conversational level				
Pathways and general public areas are well lit for people with low vision or who lip read				
Tactile Ground Surface Indicators are used to mark possible hazards ie. stairs, ramps				
There are well maintained, accessible amenities				
Public transport to the venue is accessible for people in wheelchairs and limited mobility				
Transport drop-off / pick-up points are close to main entrance				
There are clear, accessible pathways from drop off points or carpark to venue entrance				
The drop off zone has kerb cuts in the footpath for wheelchair access				
There is accessible parking at or near to the venue				
Doors and doorways support people in wheelchairs to open/ close, manoeuvre, enter/ exit				
Door handles and bathroom fittings are designed to aid people with limited dexterity				

VENUE	YES	PART	NO	ACTION
Service counter heights comply with standards that allow access for a people in a wheelchair				
Reserved seating with considerate sightlines exists for disability access initiatives				
Seating for people in wheelchairs is flexible enough to allow for companions to sit together				
Directional signage in the venue includes disability access with access symbols				
Program, goods & service information is in alternate formats ie. web, audio, print, braille				
Making enquires or booking tickets is through a range of communication channels				
People with disability are represented in media in an inclusive and respectful way				
Language in marketing, media and customer service is inclusive and person-centred				
Accessible performances have been promoted in main stream and in disability media				
Contact numbers and email are available for queries about the disability services provided				
Employees have undertaken disability awareness training				
Employees are available to provide assistance to people with disability				
Emergency exits are clearly marked and are wheelchair accessible				
There are both audio and visual warning signals in the event of an emergency				
Evacuation procedures support people with disability who may require assistance				

ORGANISATIONAL	YES	PART	NO	ACTION
Policies on accessibility are clearly stated and implemented				
There is an active disability action plan				
Consultation on accessibility is on-going with people with disability				
Targeted disability community have been consulted when programming access initiatives				
There is a budget line for accessibility initiatives in each department or area or work				
There are people with disability on staff				
There is regular training in disability awareness and equity for employees				
Website complies with W3C's Web Content Accessibility Guidelines (WCAG 2.0)				

Appendix B

Sources for Universal Access Symbols⁵²



Wheelchair Access Symbol



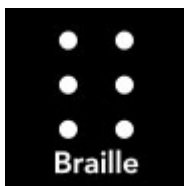
Sign Language Interpretation Symbol



Assistive Listening Systems Symbol



Audio Description Symbol



Braille Symbol



Access (Other than Print or Braille) for Individuals who are Blind or have Low Vision

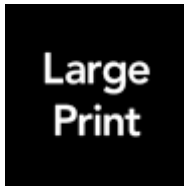
⁵² As noted in Accessible Arts Australia <http://www.aarts.net.au/resources/universal-access-symbols/>



Closed Captioning Logo



Opened Captioning Logo



Accessible Print (18 pt. or Larger)



Volume Control Telephone



Telephone Typewriter (TTY)



Information Symbol

ENGELLİLER HAKKINDA KANUN ⁽¹⁾

Kanun Numarası : 5378
Kabul Tarihi : 1/7/2005
Yayımlandığı R.Gazete : Tarih: 7/7/2005 Sayı : 25868
Yayımlandığı Düstur : Tertip : 5 Cilt : 44

BİRİNCİ BÖLÜM

Amaç, Kapsam, Tanımlar ve Genel Esaslar

Amaç

Madde 1- (Değişik:6/2/2014-6518/62 md.)

Bu Kanunun amacı; engellilerin temel hak ve özgürlüklerden faydalanmasını teşvik ve temin ederek ve doğuştan sahip oldukları onura saygıyı güçlendirerek toplumsal hayata diğer bireylerle eşit koşullarda tam ve etkin katılımlarının sağlanması ve engelliliği önleyici tedbirlerin alınması için gerekli düzenlemelerin yapılmasını sağlamaktır.

Kapsam ⁽¹⁾

Madde 2- Bu Kanun engellileri, ailelerini, engellilere yönelik hizmet veren kurum ve kuruluşlar ile diğer ilgilileri kapsar.

Tanımlar

Madde 3- (Değişik:6/2/2014-6518/63 md.)

Bu Kanunun uygulanmasında;

a) Doğrudan ayrımcılık: Engelliliğe dayalı ayrımcılık temeline dayanan ve engellinin hak ve özgürlüklerden karşılaştırılabilir durumdakilere kıyasla eşit şekilde yararlanmasını engelleyen, kısıtlayan veya zorlaştıran her türlü farklı muameleyi,

b) Dolaylı ayrımcılık: Görünüşte ayrımcı olmayan her türlü eylem, işlem ve uygulamalar sonucunda engelliliğe dayalı ayrımcılık temeliyle bağlantılı olarak, engellinin hak ve özgürlüklerden yararlanması bakımından nesnel olarak haklılaştırılmayan dezavantajlı bir konuma sokulmasını,

c) Engelli: Fiziksel, zihinsel, ruhsal ve duysal yetilerinde çeşitli düzeyde kayıplarından dolayı topluma diğer bireyler ile birlikte eşit koşullarda tam ve etkin katılımını kısıtlayan tutum ve çevre koşullarından etkilenen bireyi,

d) Engelliliğe dayalı ayrımcılık: Siyasi, ekonomik, sosyal, kültürel, medeni veya başka herhangi bir alanda insan hak ve temel özgürlüklerinin tam ve diğerleri ile eşit koşullar altında kullanılması veya bunlardan yararlanılması önünde engelliliğe dayalı olarak gerçekleştirilen her türlü ayırım, dışlama veya kısıtlamayı,

⁵³ Retrieved from www.mevzuat.gov.tr on June 2015.

e) Engellilik durumu: Bireyin engelliliğini ve engellilikten kaynaklanan özel gereksinimlerini, uluslararası yöntemleri temel alarak belirleyen derecelendirmeler, sınıflandırmalar ve tanılamaları,

(1) 25/4/2013 tarihli ve 6462 sayılı Kanununun 1 inci maddesiyle;

a) Bu Kanunun Adında yer alan “Özürlüler ve Bazı Kanun ve Kanun Hükmünde Kararnamelerde Değişiklik Yapılması” ibaresi “Engelliler”,

b) 2 nci maddesinde yer alan “özürlüleri” ve “özürlülere” ibareleri sırasıyla “engellileri” ve “engellilere”,

f) Erişilebilirlik: Binaların, açık alanların, ulaşım ve bilgilendirme hizmetleri ile bilgi ve iletişim teknolojisinin, engelliler tarafından güvenli ve bağımsız olarak ulaşılabilir ve kullanılabilir olmasını,

g) Erişilebilirlik standartları: Türk Standardları Enstitüsünün erişilebilirlikle ilgili yayınladığı standartları,

h) Habilitasyon: Engellinin bireysel ve toplumsal ihtiyaçlarını karşılayabilmesini ve yaşamını bağımsız bir şekilde sürdürebilmesini sağlamayı amaçlayan fiziksel, sosyal, zihinsel ve mesleki beceriler kazandırmaya yönelik hizmetleri,

i) Korunmalı işyeri: İş gücü piyasasına kazandırılmaları güç olan zihinsel veya ruhsal engellilere mesleki rehabilitasyon sağlamak ve istihdam oluşturmak amacıyla Devlet tarafından teknik ve mali yönden desteklenen ve çalışma ortamı özel olarak düzenlenen işyerini,

j) Makul düzenleme: Engellilerin insan haklarını ve temel özgürlüklerini tam ve diğer bireylerle eşit şekilde kullanmasını veya bunlardan yararlanmasını sağlamak üzere belirli bir durumda ihtiyaç duyulan, ölçüsüz veya aşırı bir yük getirmeyen, gerekli ve uygun değişiklik ve tedbirleri,

k) Rehabilitasyon: Herhangi bir nedenle oluşan engelin etkilerini mümkün olan en az düzeye indirmeyi ve engellinin hayatını bağımsız bir şekilde sürdürebilmesini sağlamayı amaçlayan fiziksel, sosyal, zihinsel ve mesleki beceriler geliştirmeye yönelik hizmetleri,

l) Umuma açık hizmet veren yapı: Kamu hizmeti için kullanılan resmî binalar, ibadet yerleri, özel eğitim ve özel sağlık tesisleri; sinema, tiyatro, opera, müze, kütüphane, konferans salonu gibi kültürel binalar ile gazino, düğün salonu gibi eğlence yapıları; otel, özel yurt, iş hanı, büro, pasaj, çarşı gibi ticari yapılar; spor tesisleri, genel otopark ve buna benzer umuma ait binaları,

ifade eder.

Genel esaslar

Madde 4- (Değişik:6/2/2014-6518/64 md.)

Bu Kanun kapsamında bulunan hizmetlerin yerine getirilmesinde;

a) Engellilerin insan onur ve haysiyetinin dokunulmazlığı temelinde, kendi seçimlerini yapma özgürlüğünü ve bağımsızlığını kapsayacak şekilde bireysel özerkliğine saygı gösterilmesi esastır.

b) Engelliliğe dayalı ayrımcılık yapılamaz, ayrımcılıkla mücadele engellilere yönelik politikaların temel esastır.

c) Engellilerin tüm hak ve hizmetlerden yararlanması için fırsat eşitliğinin sağlanması esastır.

d) Engellilerin bağımsız yaşayabilmeleri ve topluma tam ve etkin katılımları için erişilebilirliğin sağlanması esastır.

e) Engellilerin ve engelliliğin her tür istismarının önlenmesi esastır.

f) Engellilere yönelik hizmetlerin sunumunda aile bütünlüğünün korunması esastır.

g) Engeli olan çocuklara yönelik hizmetlerde çocuğun üstün yararının gözetilmesi esastır.

h) Engeli olan kadın ve kız çocuklarının çok yönlü ayrımcılığa maruz kalmaları önlenerek hak ve özgürlüklerden yararlanmalarının sağlanması esastır.

i) Engellilere yönelik politika oluşturma, karar alma ve hizmet sunumu süreçlerinde engellilerin, ailelerinin ve engellileri temsil eden sivil toplum kuruluşlarının katılımının sağlanması esastır.

j) Engellilere yönelik mevzuat düzenlemelerinde Aile ve Sosyal Politikalar Bakanlığının görüşü alınır.

Ayrımcılık

Madde 4/A- (Ek:6/2/2014-6518/65 md.)

Doğrudan ve dolaylı ayrımcılık dâhil olmak üzere engelliliğe dayalı her türlü ayrımcılık yasaktır.

Eşitliği sağlamak ve ayrımcılığı ortadan kaldırmak üzere engellilere yönelik makul düzenlemelerin yapılması için gerekli tedbirler alınır.

Engellilerin hak ve özgürlüklerden tam ve eşit olarak yararlanmasını sağlamaya yönelik alınacak özel tedbirler ayrımcılık olarak değerlendirilemez.

Topluma dâhil olma

Madde 4/B- (Ek:6/2/2014-6518/66 md.)

Engellilerin toplumdan tecrit edilmeleri ve ayrı tutulmaları önlenir.

Engellilerin diğer bireylerle eşit koşullarda bağımsız olarak toplum içinde yaşamaları esas olup, özel bir yaşama düzenine zorlanamazlar.

Engellilerin topluma dâhil olmaları ve toplum içinde yaşamaları amacıyla bireysel destek hizmetleri de dâhil olmak üzere ihtiyaç duydukları toplum temelli destek hizmetlerine erişimleri sağlanır.

İKİNCİ BÖLÜM⁽¹⁾

Engellilik Durumu, Destek ve Bakım, Habilitasyon ve Rehabilitasyon, İstihdam, Eğitim ve Öğretim, Erişilebilirlik

Engellilik durumu⁽²⁾

Madde 5- (Değişik:6/2/2014-6518/67 md.)

Bireyin engelliliğini ve engellilikten kaynaklanan özel ihtiyaçlarını belirleyen derecelendirmeler, sınıflandırmalar ve tanılamalarda uluslararası temel yöntemler esas alınır. Engellilik durumunun tespit ve uygulama esasları, Çalışma ve Sosyal Güvenlik

Bakanlığı ve Millî Eğitim Bakanlığının görüşleri alınarak Aile ve Sosyal Politikalar Bakanlığı, Maliye Bakanlığı ve Sağlık Bakanlığınca müştereken çıkarılan yönetmelikle belirlenir.

Destek ve bakım ⁽³⁾

Madde 6- (Değişik:6/2/2014-6518/68 md.)

Engellilerin öncelikle buldukları ortamda bağımsız yaşayabilmeleri için durumlarına uygun olarak gerekli psikososyal destek ve bakım hizmetleri sunulur. Destek ve bakım hizmetlerinin sunumunda kişinin biyolojik, fiziksel, psikolojik, sosyal, kültürel ve manevi ihtiyaçları ailesi de gözetilerek dikkate alınır. Destek ve bakım hizmetlerinin standardizasyonu, geliştirilmesi ve yaygınlaştırılması için gerekli olan çalışmalar Aile ve Sosyal Politikalar Bakanlığınca yürütülür.

(1) Bu bölümün başlığı, “Sınıflandırma, Bakım, Rehabilitasyon, İstihdam, Eğitim, İş ve Meslek Analizi” iken 6/2/2014 tarihli ve 6518 sayılı Kanunun 67 nci maddesiyle metne işlendiği şekilde değiştirilmiştir.

(2) Bu maddenin başlığı, “Sınıflandırma” iken 6/2/2014 tarihli ve 6518 sayılı Kanunun 67 nci maddesiyle metne işlendiği şekilde değiştirilmiştir.

(3) Bu maddenin başlığı, “Bakım” iken 6/2/2014 tarihli ve 6518 sayılı Kanunun 68 inci maddesiyle metne işlendiği şekilde değiştirilmiştir.

Erişilebilirlik ⁽¹⁾

Madde 7- (Değişik:6/2/2014-6518/69 md.)

Yapılı çevrede engellilerin erişilebilirliğinin sağlanması için planlama, tasarım, inşaat, imalat, ruhsatlandırma ve denetleme süreçlerinde erişilebilirlik standartlarına uygunluk sağlanır.

Özel ve kamu toplu taşıma sistemleri ile sürücü koltuğu hariç dokuz veya daha fazla koltuğu bulunan özel ve kamu toplu taşıma araçlarının engellilerin erişilebilirliğine uygun olması zorunludur.

Bilgilendirme hizmetleri ile bilgi ve iletişim teknolojisinin engelliler için erişilebilir olması sağlanır.

Hizmet sunumu

Madde 8- (Mülga:6/2/2014-6518/124 md.)

Bakım çeşitleri

Madde 9- (Mülga:6/2/2014-6518/124 md.)

(1) Bu maddenin başlığı, “Ruhsatlandırma” iken 6/2/2014 tarihli ve 6518 sayılı Kanunun 69 uncu maddesiyle metne işlendiği şekilde değiştirilmiştir.

Habilitasyon ve rehabilitasyon ⁽¹⁾

Madde 10- (Değişik:6/2/2014-6518/70 md.)

Toplumsal hayata katılım ve eşitlik temelinde engellilere habilitasyon ve rehabilitasyon hizmetleri verilir. Habilitasyon ve rehabilitasyon kararının alınması, planlanması, yürütülmesi ve sonlandırılması dâhil her aşamasında engelli ve ailesinin aktif ve etkin katılımı sağlanır.

Habilitasyon ve rehabilitasyon hizmetlerinin mümkün olan en erken evrede başlaması ve engellinin yerleşim yerine en yakın yerde verilmesi esastır.

Habilitasyon ve rehabilitasyon hizmetlerinde ihtiyaç duyulan personelin yetiştirilmesine yönelik eğitim programları geliştirilir. Habilitasyon ve rehabilitasyonda kullanılan yardımcı araç gereçlere, destek teknolojilerine ve bunlara ilişkin bilgiye erişebilirliğin sağlanması için gerekli tedbirler alınır.

Erken tanı ve koruyucu hizmetler ⁽²⁾

Madde 11- Yeni doğan, erken çocukluk ve çocukluğun her dönemi fiziksel, işitsel, duyuşsal, sosyal, ruhsal ve zihinsel gelişimlerinin izlenmesi, genetik geçişli ve engelliliğe neden olabilecek hastalıkların erken teşhis edilmesinin sağlanması, engelliliğin önlenmesi, var olan engelliliğin şiddetinin olabilecek en düşük seviyeye çekilmesi ve ilerlemesinin durdurulmasına ilişkin çalışmalar Sağlık Bakanlığınca planlanır ve yürütülür.

İş ve meslek analizi

Madde 12- (Mülga:6/2/2014-6518/124 md.)

Meslekî habilitasyon ve rehabilitasyon ⁽³⁾

Madde 13- (Değişik:6/2/2014-6518/71 md.)

Engellilerin meslek seçebilmesi ve bu alanda eğitim alabilmesi için gerekli tedbirler alınır.

Çalışma ve Sosyal Güvenlik Bakanlığınca yapılan iş ve meslek analizleri doğrultusunda engelliler için Millî Eğitim Bakanlığı ve Çalışma ve Sosyal Güvenlik Bakanlığınca mesleki habilitasyon, rehabilitasyon ve eğitim programları geliştirilir.

Engellilerin mesleki habilitasyon ve rehabilitasyon hizmetleri, kamu kurum ve kuruluşları ile belediyeler ve diğer gerçek veya tüzel kişiler tarafından da gerçekleştirilebilir.

Bu maddeye ilişkin usul ve esaslar, Aile ve Sosyal Politikalar Bakanlığı, Millî Eğitim Bakanlığı ve Çalışma ve Sosyal Güvenlik Bakanlığınca müştereken çıkarılan yönetmelikle belirlenir.

(1) Bu maddenin başlığı, “Rehabilitasyon” iken 6/2/2014 tarihli ve 6518 sayılı Kanunun 70 inci maddesiyle metne işlendiği şekilde değiştirilmiştir.

(2) 25/4/2013 tarihli ve 6462 sayılı Kanunun 1 inci maddesiyle, bu maddede yer alan “özürlülüğe”, “özürlülüğün” ve “özrün” ibareleri sırasıyla “engelliliğe”, “engelliliğin” ve “engelliliğin” şeklinde değiştirilmiştir.

(3) Bu maddenin başlığı, “Mesleki rehabilitasyon” iken 6/2/2014 tarihli ve 6518 sayılı Kanunun 71 inci maddesiyle metne işlendiği şekilde değiştirilmiştir.

İstihdam

Madde 14- (Değişik:6/2/2014-6518/72 md.)

Engellilerin iş gücü piyasası ve çalışma ortamında sürdürülebilir istihdamı için kendi işini kurmaya rehberlik ve mesleki danışmanlık hizmetlerinin geliştirilmesi de dâhil olmak üzere gerekli tedbirler alınır.

İşe başvuru, alım, önerilen çalışma süreleri ve şartları ile istihdamın sürekliliği, kariyer gelişimi, sağlıklı ve güvenli çalışma koşulları dâhil olmak üzere istihdama ilişkin hiçbir hususta engelliliğe dayalı ayrımcı uygulamalarda bulunulamaz.

Çalışan engellilerin aleyhinde sonuç doğuracak şekilde, engelinden dolayı diğer kişilerden farklı muamelede bulunulamaz.

Çalışan veya iş başvurusunda bulunan engellilerin karşılaşılabileceği engel ve güçlükleri ortadan kaldırmaya yönelik istihdam süreçlerindeki önlemlerin alınması ve engellilerin çalıştığı iş yerlerinde makul düzenlemelerin, bu konuda görev, yetki ve sorumluluğu bulunan kurum ve kuruluşlar ile işverenler tarafından yapılması zorunludur.

Engellilik durumları sebebiyle iş gücü piyasasına kazandırılmaları güç olan engellilerin istihdam edildiği korumalı işyerlerinin statüsü ve bu işyerleriyle ilgili usul ve esaslar Çalışma ve Sosyal Güvenlik Bakanlığı, Maliye Bakanlığı ve Aile ve Sosyal Politikalar Bakanlığınca müştereken çıkarılan yönetmelikle düzenlenir.

Eğitim ve öğretim

Madde 15- (Değişik:6/2/2014-6518/73 md.)

Hiçbir gerekçeyle engellilerin eğitim alması engellenemez. Engelliler, özel durumları ve farklılıkları dikkate alınarak, yaşadıkları çevrede bütünleştirilmiş ortamlarda, eşitlik temelinde, hayat boyu eğitim imkânından ayrımcılık yapılmaksızın yararlandırılır.

Genel eğitim sistemi içinde engellilerin her seviyede eğitim almasını sağlayacak bütünleştirici planlamalara yer verilir.

Örgün eğitim programlarına farklı nedenlerle geç başlamış engellilerin bu eğitime dâhil edilmesi için gerekli tedbirler alınır.

Üniversite öğrencilerinden engelli olanların öğrenime etkin katılımlarını sağlamak amacıyla Yükseköğretim Kurulu koordinasyonunda, yükseköğretim kurumları bünyesinde, engellilere uygun araç-gereç ve ders materyallerinin, uygun eğitim, araştırma ve barınma ortamlarının temini ile eğitim süreçlerinde yaşadıkları sorunların çözümü gibi konularda çalışma yapmak üzere Engelliler Danışma ve Koordinasyon Merkezleri kurulur.

Engelliler Danışma ve Koordinasyon Merkezinin çalışma usul ve esasları Aile ve Sosyal Politikalar Bakanlığı, Millî Eğitim Bakanlığı ve Yükseköğretim Kurulunca müştereken çıkarılan yönetmelikle belirlenir.

İşitme engellilerin eğitim ve iletişimlerinin sağlanması amacıyla Türk işaret dili sistemi oluşturulur. Bu sistemin oluşturulmasına, geliştirilmesine ve uygulanmasına yönelik çalışmaların esas ve usulleri Aile ve Sosyal Politikalar Bakanlığının koordinatörlüğünde, Millî Eğitim Bakanlığı ve Türk Dil Kurumu Başkanlığınca müştereken çıkarılan yönetmelikle belirlenir.

Engellilerin her türlü eğitim, sosyal ve kültürel ihtiyaçlarını karşılamak üzere kabartma yazılı, sesli, elektronik kitap; alt yazılı, işaret dili tercümesi ve sesli betimlemeli film ve benzeri materyal temin edilmesine ilişkin gerekli işlemler Millî Eğitim Bakanlığı ile Kültür ve Turizm Bakanlığınca yürütülür.

Eğitsel değerlendirme

Madde 16- (Değişik:6/2/2014-6518/74 md.)

Bireylerin eğitsel değerlendirme, tanılama ve yönlendirilmesi ile ilgili iş ve işlemler rehberlik ve araştırma merkezi bünyesinde oluşturulan Özel Eğitim Değerlendirme Kurulu tarafından yapılır. Bu sürecin her aşamasında aile bilgilendirilerek görüşü alınır ve sürece katılımı sağlanır. Eğitsel değerlendirme ve tanılama sonucunda özel eğitime ihtiyacı olduğu belirlenen bireyler için Özel Eğitim Değerlendirme Kurulunca rapor hazırlanır ve eğitim planı geliştirilir. Bu planlama her yıl revize edilir.

Özel Eğitim Değerlendirme Kurulu, özel eğitime ihtiyacı olan bireyleri ilgi, istek, gelişim özellikleri, akademik disiplin alanlarındaki yeterlilikleri ile eğitim ihtiyaçları doğrultusunda örgün ve yaygın eğitim kurumlarına yönlendirir.

Kurulun teşkili ile çalışma usul ve esasları Aile ve Sosyal Politikalar Bakanlığı ile Millî Eğitim Bakanlığınca müştereken çıkarılan yönetmelikle belirlenir.

ÜÇÜNCÜ BÖLÜM

Değiştirilen Hükümler

Madde 17-18- (8.6.1965 tarihli ve 625 sayılı Özel Öğretim Kurumları Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 19- (23.6.1965 tarihli ve 634 sayılı Kat Mülkiyeti Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 20-21- (14.7.1965 tarihli ve 657 sayılı Devlet Memurları Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 22- (29.7.1970 tarihli ve 1319 sayılı Emlak Vergisi Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 23-24- (18.1.1972 tarihli ve 1512 sayılı Noterlik Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 25- (1.7.1976 tarihli ve 2022 sayılı 65 Yaşını Doldurmuş Muhtaç, Gücsüz ve Kimsesiz Türk Vatandaşlarına Aylık Bağlanması Hakkında Kanun ile ilgili olup yerine işlenmiştir.)

Madde 26-30- (24.5.1983 tarihli ve 2828 sayılı Sosyal Hizmetler ve Çocuk Esirgeme Kurumu Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 31- (13.10.1983 tarihli ve 2918 sayılı Karayolları Trafik Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 32- (25.10.1984 tarihli ve 3065 sayılı Katma Değer Vergisi Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 33- (21.5.1986 tarihli ve 3289 sayılı Gençlik ve Spor Genel Müdürlüğünün Teşkilat ve Görevleri Hakkında Kanun ile ilgili olup yerine işlenmiştir.)

Madde 34- (7.5.1987 tarihli ve 3359 sayılı Sağlık Hizmetleri Temel Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 35- (30.4.1992 tarihli ve 3797 sayılı Milli Eğitim Bakanlığının Teşkilat ve Görevleri Hakkında Kanun ile ilgili olup yerine işlenmiştir.)

Madde 36- (28.12.1993 tarihli ve 3960 sayılı Kalıtsal Hastalıklarla Mücadele Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 37- (13.4.1994 tarihli ve 3984 sayılı Radyo ve Televizyonların Kuruluş ve Yayınları Hakkında Kanun ile ilgili olup yerine işlenmiştir.)

Madde 38- (22.11.2001 tarihli ve 4721 sayılı Türk Medenî Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 39- (22.5.2003 tarihli ve 4857 sayılı İş Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 40- (10.7.2004 tarihli ve 5216 sayılı Büyükşehir Belediyesi Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 41- (26.9.2004 tarihli ve 5237 sayılı Türk Ceza Kanunu ile ilgili olup yerine işlenmiştir.)

Madde 42-48- (25.3.1997 tarihli ve 571 sayılı Kanun Hükmünde Kararname ile ilgili olup yerine işlenmiştir.)

Madde 49- a) Ekli (1) sayılı listede yer alan kadrolar iptal edilerek 190 sayılı Kanun Hükmünde Kararnamenin eki (I) sayılı cetvelin Sosyal Hizmetler ve Çocuk Esirgeme Kurumu Genel Müdürlüğü bölümünden çıkarılmış, ekli (2) sayılı listede yer alan kadrolar ihdas edilerek adı geçen Kanun Hükmünde Kararnameye bağlı (I) sayılı cetvelin adı geçen Genel Müdürlüğe ait bölümüne eklenmiştir.

b) Ekli (3) sayılı listede yer alan kadrolar iptal edilerek 190 sayılı Kanun Hükmünde Kararnamenin eki (I) sayılı cetvelin Özürlüler İdaresi Başkanlığı bölümünden çıkarılmış, ekli (4) sayılı listede yer alan kadrolar ihdas edilerek adı geçen Kanun Hükmünde Kararnameye bağlı (I) sayılı cetvelin adı geçen Başkanlığa ait bölümüne eklenmiştir.⁽¹⁾

(1) Bu madde ile iptal ve ihdas edilen kadrolar için 7/7/2005 tarihli ve 25868 sayılı Resmi Gazete'ye bakınız.

Yürürlükten kaldırılan hükümler

Madde 50- a) 17.7.1964 tarihli ve 506 sayılı Sosyal Sigortalar Kanununun ek 37 nci maddesi,

b) 29.6.1956 tarihli ve 6762 sayılı Türk Ticaret Kanununun 668 inci maddesinin üçüncü fıkrası,

c) 22.4.1926 tarihli ve 818 sayılı Borçlar Kanununun 14 üncü maddesinin son fıkrası,

Yürürlükten kaldırılmıştır.

Geçici Madde 1- Bu Kanunda öngörülen yönetmelikler Kanunun yayımı tarihinden itibaren bir yıl içerisinde yürürlüğe konulur.

Geçici Madde 2- Kamu kurum ve kuruluşlarına ait mevcut resmî yapılar, mevcut tüm yol, kaldırım, yaya geçidi, açık ve yeşil alanlar, spor alanları ve benzeri sosyal ve kültürel alt yapı alanları ile gerçek ve tüzel kişiler tarafından yapılmış ve umuma açık hizmet veren her türlü yapılar bu Kanunun yürürlüğe girdiği tarihten itibaren sekiz yıl içinde engellilerin erişilebilirliğine uygun duruma getirilir.⁽¹⁾⁽²⁾

Geçici Madde 3- Büyükşehir belediyeleri ve belediyeler, şehir içinde kendilerince sunulan ya da denetimlerinde olan sürücü koltuğu hariç dokuz veya daha fazla koltuğu bulunan araçlarla sağlanan toplu taşıma hizmetlerinin engellilerin erişilebilirliğine uygun olması için gereken tedbirleri alır. Mevcut özel ve kamu toplu taşıma araçları, bu Kanunun yürürlüğe girdiği tarihten itibaren sekiz yıl içinde, sürücü koltuğu hariç dokuz ila on altı oturma yeri olan araçlarla verilen toplu taşıma hizmetleri, turizm taşımacılığı yapılan araçlarla sağlanan taşıma hizmetleri ve özel ve kamu şehirler arası toplu taşıma hizmetleri ile yolcu gemileri 7/7/2018 tarihine kadar engelliler için erişilebilir duruma getirilir.⁽¹⁾⁽³⁾⁽⁴⁾⁽⁵⁾

(Ek:6/2/2014-6518/75 md.) 7/7/2018 tarihine kadar, karayolu ile turizm taşımacılığı yapan veya şehirler arası toplu taşıma hizmeti veren gerçek ve tüzel kişiler, engelli bireyin erişilebilir toplu taşıma hizmeti sağlanmasına ilişkin talebini azami yetmiş iki saat içinde karşılamakla yükümlüdür.

(Ek:6/2/2014-6518/75 md.) 7/7/2018 tarihine kadar, servis taşımacılığı yapan gerçek ve tüzel kişiler, engelli personel veya öğrenciye talep hâlinde erişilebilir taşıma hizmetini sağlamakla yükümlüdür.

(Ek:6/2/2014-6518/75 md.; Mülga: 10/9/2014-6552/144 md.; Yeniden düzenleme: 18/11/2014-6567/1 md.) Bu fıkranın yürürlüğe girdiği tarihten sonra üretilen şehirler arası ve uluslararası yolcu taşımacılığı ile servis ve turizm taşımacılığı yapan araçlar dışında şehir içi yolcu taşıma hizmeti yapan araçlardan erişilebilir olmayanlara yolcu taşıma hizmeti için yetki belgesi, izin ve çalışma ruhsatı verilmez.

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- (1) 4/7/2012 tarihli ve 6353 sayılı Kanunun 34 üncü maddesiyle, bu maddede yer alan “yedi yıl” ibaresi “sekiz yıl” şeklinde değiştirilmiştir.
 - (2) 25/4/2013 tarihli ve 6462 sayılı Kanunun 1 inci maddesiyle, bu maddede yer alan “özürlülerin” ibaresi “engellilerin” şeklinde değiştirilmiştir.
 - (3) 25/4/2013 tarihli ve 6462 sayılı Kanunun 1 inci maddesiyle, bu maddede yer alan “özürlülerin” ve “özürlüler” ibareleri sırasıyla “engellilerin” ve “engelliler” şeklinde değiştirilmiştir.
 - (4) 6/2/2014 tarihli ve 6518 sayılı Kanunun 75 inci maddesiyle, bu fıkroda yer alan “denetimlerinde olan” ibaresinden sonra gelmek üzere “sürücü koltuğu hariç dokuz veya daha fazla koltuğu bulunan araçlarla sağlanan” ibaresi, “sekiz yıl içinde” ibaresinden sonra gelmek üzere “, sürücü koltuğu hariç dokuz ila on altı oturma yeri olan toplu taşıma araçları, yolcu gemileri ile özel ve kamu şehirler arası toplu taşıma araçları ile turizm taşımacılığı yapılan araçlar 7/7/2018 tarihine kadar” ibaresi eklenmiştir.
 - (5) 18/11/2014 tarihli ve 6567 sayılı Kanunun 1 inci maddesiyle, bu maddede yer alan “toplu taşıma araçları, yolcu gemileri ile özel ve kamu şehirler arası toplu taşıma araçları ile turizm taşımacılığı yapılan araçlar” ibaresi “araçlarla verilen toplu taşıma hizmetleri, turizm taşımacılığı yapılan araçlarla sağlanan taşıma hizmetleri ve özel ve kamu şehirler arası toplu taşıma hizmetleri ile yolcu gemileri” şeklinde değiştirilmiştir.

(Ek fıkra: 18/11/2014-6567/1 md.) Şehirler arası yolcu taşıma hizmeti ile şehir içi servis ve turizm taşımacılığı hizmetinin erişilebilir hâle getirilmesi için usul ve esaslar Bilim, Sanayi ve Teknoloji Bakanlığı ile Ulaştırma, Denizcilik ve Haberleşme Bakanlığının görüşleri alınmak suretiyle Aile ve Sosyal Politikalar Bakanlığınca bu fıkranın yürürlük tarihinden itibaren bir yıl içinde çıkarılacak yönetmelikle düzenlenir.

(Ek fıkra: 4/7/2012-6353/34 md.) Bu Kanunun geçici 2 nci maddesi ile bu maddede belirtilen erişilebilirlik standartlarının ve yükümlülüklerinin uygulanmasının izlenmesi ve denetimi her ilde Aile ve Sosyal Politikalar, Bilim, Sanayi ve Teknoloji, İçişleri, Çevre ve Şehircilik, Ulaştırma, Denizcilik ve Haberleşme Bakanlıkları ile engelliler ile ilgili konfederasyonların temsilcilerinden oluşan komisyon tarafından yapılır. İhtiyaç halinde birden fazla komisyon kurulabilir. Denetim sonucunda ilgili belediye ve kamu kurum ve kuruluşları ile umuma açık hizmet veren her türlü yapıların ve açık alanların malikleri ile toplu taşıma araçlarının sahiplerine eksikleri tamamlaması için birinci fıkrada belirtilen sürenin bitiminden itibaren iki yılı geçmemek üzere ek süre verilebilir.⁽¹⁾

(Ek fıkra: 4/7/2012-6353/34 md.) Sürenin bitiminden itibaren öngörülen yükümlülüklerini yerine getirmediği denetim komisyonlarınca tespit edilen umuma açık hizmet veren her türlü yapılar ve açık alanlar ile toplu taşıma araçlarının sahibi olan gerçek ve özel hukuk tüzel kişileri ve ikinci, üçüncü fıkralar ile beşinci fıkrada kapsamında yürürlüğe konulan yönetmelikle öngörülen yükümlülüklerini yerine getirmediği denetim komisyonlarınca tespit edilen gerçek ve özel hukuk tüzel kişilerine Aile ve Sosyal Politikalar Bakanlığı tarafından her bir tespit için bin Türk Lirasından beş bin Türk Lirasına kadar idari para cezası uygulanır. Bu şekilde bir yıl içinde uygulanacak idari para cezasının tutarı ellibin lirayı geçemez. İkinci ve üçüncü fıkrada öngörülen yükümlülüklerini veya geçici 2 ve 3 üncü maddelerde belirtilen sürelerin bitiminden itibaren öngörülen yükümlülüklerini yerine getirmediği denetim komisyonlarınca tespit edilen büyükşehir belediyeleri, belediyeler ve diğer kamu kurum ve kuruluşlarına Aile ve Sosyal Politikalar Bakanlığı tarafından her bir tespit için beşbin Türk Lirasından yirmibeşbin Türk Lirasına kadar idari para cezası uygulanır. Bu şekilde bir yıl içinde uygulanacak idari para cezasının tutarı beşyüz bin lirayı geçemez. Bu maddeye göre verilen idari para cezaları tebliğinden itibaren bir ay içerisinde ödenir. Genel bütçeye gelir kaydedilen idari para cezası tutarları dikkate alınarak erişilebilirlik konusundaki projelerde kullanılmak üzere Aile ve Sosyal Politikalar Bakanlığı bütçesinde ödenek öngörülür.⁽²⁾

(Ek fıkra: 4/7/2012-6353/34 md.) Bu maddenin uygulanmasına ilişkin usul ve esaslar; Bilim, Sanayi ve Teknoloji, İçişleri, Maliye, Çevre ve Şehircilik, Ulaştırma, Denizcilik ve Haberleşme Bakanlıklarının ve engelliler ile ilgili konfederasyonların görüşleri alınmak sureti ile Aile ve Sosyal Politikalar Bakanlığınca bir yıl içerisinde çıkarılacak yönetmelikle belirlenir.⁽³⁾

Geçici Madde 4- Bu Kanunla Özürlüler İdaresi Başkanlığı ile Sosyal Hizmetler ve Çocuk Esirgeme Kurumu Genel Müdürlüğü teşkilat kanunlarında yapılan yeni düzenleme sebebiyle kadro ve görev unvanları değişenler veya kaldırılanlar bu Kanunun yürürlüğe girdiği tarihten itibaren bir yıl içinde boş bulunan durumlarına uygun kadrolara atanırlar. Bunlar yeni bir kadroya atanıncaya kadar her türlü malî haklarını eski kadrolarına göre almaya devam ederler. Söz konusu personelin atandıkları yeni kadroların aylık, ek gösterge, her türlü zam ve tazminatları ile diğer malî hakları toplamının net tutarı, eski kadrosunda en son ayda almakta oldukları aylık, ek gösterge, her türlü zam ve tazminatları ile diğer malî hakları toplamı net tutarından az olması halinde aradaki fark giderilinceye kadar atandıkları kadroda kaldıkları sürece hiçbir vergi ve kesintiye tâbi tutulmaksızın tazminat olarak ödenir. Kadro ve görev unvanı değişmeyenler ise aynı kadro ve görev unvanlarına atanmış sayılırlar.⁽⁴⁾

(1) 6/2/2014 tarihli ve 6518 sayılı Kanunun 75 inci maddesiyle, bu fıkrada yer alan "maddenin birinci fıkrasında ibaresi, maddede şeklinde değiştirilmiş, standartlarının ibaresinden sonra gelmek üzere ve yükümlülüklerinin" ibaresi, "Aile ve Sosyal Politikalar," ibaresinden sonra gelmek üzere "Bilim, Sanayi ve Teknoloji," ibaresi eklenmiştir.

(2) 18/11/2014 tarihli ve 6567 sayılı Kanunun 1 inci maddesiyle, bu maddede yer alan kişilerine ibaresi kişileri ve ikinci, üçüncü fıkralar ile beşinci fıkrada kapsamında yürürlüğe konulan yönetmelikle öngörülen yükümlülüklerini yerine getirmediği denetim komisyonlarınca tespit edilen gerçek ve özel hukuk tüzel kişilerine şeklinde, Sürenin bitiminden ibaresi İkinci ve üçüncü fıkrada öngörülen yükümlülüklerini veya geçici 2 ve 3 üncü maddelerde belirtilen sürelerin bitiminden itibaren bitirilmştir.

(3) 25/4/2013 tarihli ve 6462 sayılı Kanunun 1 inci maddesiyle, bu maddede yer alan, özürlülerin ve özürlüler ibareleri sırasıyla engellilerin ve engelliler şeklinde değiştirilmiştir.

(4) 6/2/2014 tarihli ve 6518 sayılı Kanunun 75 inci maddesiyle, bu fıkrada yer alan uygulanmasına ilişkin usul ve esaslar; ibaresinden sonra gelmek üzere "Bilim, Sanayi ve Teknoloji," ibaresi eklenmiştir.

Mevcut belgelerin geçerliliği

Geçici Madde 5- (Ek: 25/4/2013-6462/2 md.)

Engelli bireylerin bu maddenin yürürlüğe girdiği tarihten önce ilgili mevzuatına göre almış oldukları sağlık kurulu raporlarına istinaden hâlen yararlanmakta oldukları hak ve menfaatlerin, sağlık kurulu raporu dışındaki diğer şartların muhafaza edilmesi ve ilgili mevzuatına göre bu hak ve menfaatlerin devamının mümkün olması kaydıyla, önceki raporların geçerlilik süresi içinde aynı şekilde uygulanmasına devam olunur. Ayrıca, engelli bireylerin ilgili mevzuatına uygun olarak daha önceden almış oldukları sağlık kurulu raporlarına istinaden engellilik durumlarının tespitine veya engellilikleri dolayısıyla kendilerine veya yakınlarına kolaylıklar ya da haklar teminine yönelik olarak bu maddenin yayımı tarihine kadar verilmiş olan özürlü, sakat, çürük veya zihinsel ya da bedensel engelleri niteleyen benzeri ibareleri içeren belge, kimlik, kart ve benzeri belgelerin, geçerli oldukları süreler dâhilinde yenilenmeleri gerekmez.

Yürürlük

Madde 51- Bu Kanunun 35 inci maddesi ile 50 nci maddesinin (a) bendi 1.6.2006 tarihinde, diğer maddeleri yayımı tarihinde yürürlüğe girer.

Yürütme

Madde 52- Bu Kanun hükümlerini Bakanlar Kurulu yürütür.

**5378 SAYILI KANUNA EK VE DEĞİŞİKLİK GETİREN
MEVZUATIN YÜRÜRLÜĞE GİRİŞ TARİHİNİ
GÖSTERİR LİSTE**

Değiştiren Kanunun Numarası	5378 sayılı Kanunun değişen maddeleri	Yürürlüğe Giriş Tarihi
6353	Geçici Madde 2 ve 3	12/7/2012
6462	Kanunun Adı, 1, 2, 3, 4, 5, 6, 7, 8, 10, 10, 11, 12, 13, 14, 15, 16, Geçici Madde 2 , 3, 5	3/5/2013
6518	1, 3, 4, 4/A, 4/B, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, Geçici Madde 3, II. Bölüm Başlığı	19/2/2014
6552	Geçici Madde 3	11/9/2014
6567	Geçici Madde 3	26/11/2014

Appendix D

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ETİK KURUL KARARI

Toplantı Tarihi	17/12/2014
Karar No	2014.174.IRB3.119
Sorumlu Araştırmacı	Berat Meryem Örnek
Araştırma Başlığı:	Yüksek Lisans Tezi: "Inclusive Museums: Accessible Art for People with Disabilities in Turkey"
Başlangıç tarihi	22/12/2014
Etik Kurul izninin süresi	1 yıl (Uzatma hakkı mevcut olarak)

Koç Üniversitesi Etik Kurulu'na değerlendirilmek üzere başvuruda bulunduğunuz yukarıda künyesi yazılı projenizin başvuru dosyası ve ilgili belgeleri, Üniversitemiz "Sosyal Bilimler Araştırmaları Etik Kurulu" tarafından araştırmanın gerekçe, amaç, yaklaşım ve yöntemleri dikkate alınarak incelenmiştir.

Yapılan inceleme sonucunda çalışmanın gerçekleştirilmesinde etik ve bilimsel sakınca bulunmadığına karar verilmiştir. Araştırmaya yukarıda verilen başlangıç tarihi itibarıyla başlayabilirsiniz.

Saygılarımla,


Dr. Hakan S. Orer
Başkan

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