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An Historical Ethnography of the enactment of Rawl's Theory of Justice as Applied to the Education of Learners with Disability in Western Australia

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An Historical Ethnography of the enactment of Rawl's Theory of Justice as Applied to the Education of Learners with Disability in Western Australia

The education of students with disability has changed dramatically over the past 50 years. Universal declarations and conventions have underpinned many of these changes at both an international level and within Australia. In the early 1970s the philosophy of John Rawls provided a theory of justice to preserve social justice and individual liberty within communities. This mirrored attempts to advance education to ensure social justice, rights and access to education for learners with disability. This micro-historical ethnography provides a review spanning the past half century in Australia of changes to the education of students with disability. Underpinned by an ethnographic epistemology through interviews with the presentism of eight educators involved in Western Australian education for learners with disability, and viewed through an interpretivist lens, major elements of change are identified. An analytical framework deduced from the work of Rawls is used to reflect upon the changes and discuss the degree that Rawls' justice as fairness has been enacted in education for learners with disability from 1970 to 2021 in Australia. Key words: Australia, learners with disability, special education, inclusion, Rawls, equity, social justice

Introduction

Internationally the education of learners with disability has altered dramatically over the past half century. Numerous political, cultural, and social changes have had enormous impact on decisions regarding the provision of what is now deemed necessary for ensuring equality and access to Education for All (United Nation Educational, Scientific and Cultural Organization [UNESCO], 1990). Many of the major influences have revolved around declarations and conventions produced by UNESCO and the United Nations. Like many countries, each state in Australia has adopted and interpreted international policy and legislation to provide a guideline for the education of learners with disability.

Attempting to review how countries have responded to these expectations on a

broad scale is problematic due to the diversity of contexts and the ephemeral analysis that would be manageable within a short review. The aim of this review, therefore, is to reflect on the Australian context and to identify the impact of the cultural, political, social and historical changes that have occurred in the education of learners with disability over the last half-century in one state. An historical ethnographic approach is taken to view these through the lens of eight highly qualified long-term educators who have experienced changes transcending their working career. The educators provide a thick description of changing and prevailing understandings and practices within the context of Western Australia.

Each of the eight states and territories in Australia form part of the Commonwealth of Australia. At a federal level, Australia has a Department of Education (2019), previously known as the Department of Education Employment Training and Youth Affairs (DEETYA), with responsibility for national policies and programs providing access to early childcare through to schooling and higher education. In addition to this national Department of Education, each jurisdiction has its own Department of Education, as overall responsibility for education is devolved to the states and territories.

To provide a review within a unilateral context, evidence is focussed only on the one state of Western Australia. While arguably this provides a limited view of educational changes for the nation, many of the developments experienced in this state are also enacted in various forms across all jurisdictions. It is also pertinent to highlight that even within the one state the geographical differences across urban and rural situations can be vast: all impacting in different ways on the change process. Nevertheless, by reflecting on the lived experiences of highly knowledgeable educators across five decades within one region, it is anticipated that a broad understanding of the

education of learners with disability will emerge. This will provide an historical dialogue of value to current discussions on the development of the inclusion movement. To provide some context for the reflections, major legislation and policy that impacted on Western Australia throughout this time is first reviewed. The work of Rawls and his seminal Theory of Justice is then explained.

Legislation and Policy in Western Australia.

The early Karmel Report in 1973, was the first national report to review the demands of schools for educating learners with disabilities. From this, two major recommendations emerged, namely, the necessity for earlier identification of children's needs and associated early intervention; and secondly, more adequate training of teachers to support these learners. This subsequently resulted in the development of state policy ensuring that all children would be able to attend some form of schooling. This led to the gradual closure of Activity Centres and asylums in Western Australia; with the expectation that schools would accommodate all learners, including those with the most profound disabilities who had previously been unable to access education.

In 1984, the Western Australian Beazley Report (1984), and the national level Gow Report (1985), found that while the newly introduced concept of integration was laudable, there were so many issues associated with its execution that its progress was being significantly impeded. Although Australian policies gave commitment to integration in principle, this was not legislated. It was not until the introduction of the Disability Discrimination Act (DDA, Commonwealth of Australia, 1992), that the right of students with disability to receive an appropriate education without discrimination was guaranteed. In 1993, policy and guidelines were produced by the Western

Australian Ministry of Education for the education of students with disability. In the same year in Western Australia, the Shean Report was published (Shean, 1993), that investigated the equity of services being provided to learners with disability. The findings concluded that the recommended inclusive approach to education was not appropriate for all children and proposed that the existing range of schooling options should remain.

Unlike the previous 1928 Education Act, the revised 1999 School Education Act of Western Australia (Government of Western Australia, 1999) included a definition of disability (Part 1). While this gave some clarity to identifying students, it also provided opportunities and reasons for excluding them. For example, under Part 3, Division 4, Section 86 of the 1999 School Education Act, it provided clarity for excluding a student when an appropriate educational programme could no longer be provided at a school for a child with a disability, and states that this can occur when “Under section 83 an appropriate educational programme can no longer be provided at a school for a child with a disability”. A student may also be excluded from a government school if “... his or her behaviour has disrupted the educational instruction of other students.” (Part 3, Division 5, Section 91(b)). Both sections have the potential to lead to exclusion of a child with a disability, especially if this involves severe behavioural issues.

In early 2000, like all other jurisdictions in Australia, Western Australia had developed its own policies on services for learners with disability. Inclusive education was promoted as being an essential element of social justice and the way to ensure equity for all learners. The DDA was manifested in all policy statements, nonetheless, implementation of inclusion varied dramatically depending upon systemic regional and local personnel and access to financial and manpower resources. Following the DDA in 1992, national Disability Standards for Education (DSE) were not legislated until 2005

(Commonwealth of Australia, 2005). These made the rights for people with disabilities very explicit and ensured that schools were aware of their responsibilities.

A Theory of Justice

The theoretical background to the study is grounded upon John Rawls seminal publication, *A Theory of Justice* (Rawls, 1971). This book was written 50 years ago and discussed how to preserve social justice and individual liberty. Rawls is generally considered to be the most influential political philosopher of the late 20th century. The general philosophy for societal development proposed by Rawls, mirrors the attempt to specifically advance education to ensure social justice, rights and access to education for learners with disability. The idea of Rawls' theory was based on a Lockean social contract tradition, whereby conceptions of justice were established through agreement on principles upon which society was to be based. The restructuring of society was to be designed through political structures aimed to preserve social justice and individual liberty in a way that reasonable members of a society would accept (Rawls, 1971).

The main idea of Rawls' 1971 *Theory of Justice* was that principles are underpinned by what he refers to as 'justice as fairness'. This is established whereby people decide through rationale reflection what will count in their society as just and unjust actions. Rawls proposes a hypothetical situation of equal liberty that assumes that every problem has a solution which is determined by the principles of justice. As stated by Rawls "A conception of justice is to be the public basis of the terms of social cooperation... It is desirable that the grounds for a public conception of justice should be evident to everyone when circumstances permit" (Rawls, 1971, p. 221).

Rawls proposed that to establish a position of fairness and equality two principles needed to be reached 1). every person should have equal right to the most wide-ranging basic liberty compatible with that offered to their peers, and 2). social and economic advantages should be those reasonably expected for everyone's advantage and available to all positions with opportunities open to all.

Rawls later expanded on his original theory by focussing on the Law of Peoples (Rawls, 1993a). This still retained the importance of rights and social justice but was related to the need to apply it to the principles and norms of international law and practice. He proposed that to ensure his principles of fairness and equality a political conception of justice required three features:

- (1) It must apply to basic political, economic, and social institutions;
- (2) It must be independent of any particular philosophical, religious, or moral doctrine; and
- (3) It must be expressed in terms of fundamental ideas that are considered implicit in the political culture of a liberal society.

(Rawls, 1993b, pp.11-15)

This was further refined in 1999 when Rawls provided final clarification of his two principles of justice as:

1. "Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all".
2. "Social and economic inequalities are to be arranged so that they are both:
 - (a) to the greatest benefit of the least advantaged, consistent with the just savings principle, and
 - (b) attached to offices and positions open to all under conditions of fair equality of opportunity. (Rawls, 1999, p. 266)."

The first principle relates to the greatest equal liberty while the second focusses on difference and equal opportunity.

It is acknowledged that most policies and legislation in Western Australia and indeed throughout the world, have been based upon the less stringent principles of equal opportunity and absence of discrimination. It was also clear from analysis of the local policies, that there was no evidence to demonstrate that Rawl's theory had impacted on their development. Even though this was not explicit in the policies, the principles of equality, difference and equal opportunity that were present in the policies and legislation underpin Rawl's theory. The choice of Rawls' theory as the framework for this study, which utilizes a much more onerous expectation, was, therefore, selected to represent best international practice across all domains for influencing the important broader concepts of social justice, rights, access, fairness, and equality to education. Limiting the analysis to reviewing only the two aspects of equal opportunity and discrimination does not allow for consideration of the important additional qualities that need to be incorporated in developing appropriate policies and laws.

Historical Ethnography of the Enactment of Rawl's Theory of Justice

Rawls' theory is used in this research to reflect upon educational developments for learners with disability in Western Australia through the presentism of active participants. By extrapolating an analytical framework based on Rawls main ideas, consideration is given to what extent his principle of 'justice as fairness' has been fulfilled by changes to education for learners with disability across the past half century. The following analytical framework for developing principles of justice is applied to the review of educational changes for learners with disabilities in this research. This

framework is constructed by the authors from Rawls' main ideas and focuses on the following five principles:

- Establish agreement of principles of justice by social cooperation;
- Application of reasonableness that a society would accept;
- Public conception of justice is evident to everyone;
- Equal right to basic liberty for everyone is compatible with that offered to their peers;
- Social and economic advantages are those reasonably expected for everyone's advantage and available to all.

This analytical framework guided the analysis of the historical ethnography obtained through personal narratives to determine how social justice and equity principles have been applied to the education of learners with disabilities spanning the past half century in Western Australia.

In addition to these principles, conforming to Rawl's later work, consideration will be given to whether political conceptions of justice consider the principles and norms of international law and practice; apply to basic political, economic, and social institutions; be independent of any particular philosophical, religious, or moral doctrine; and be expressed in terms of fundamental ideas that are considered implicit in the political culture of a liberal society.

Research Design

The aim of this study is to reflect, using an analytical framework based on Rawl's Theory of Justice, on the impact of the cultural, political, social and historical changes that have occurred in the education of learners with disability in Western Australia over the last half-century. In order to meet this aim, an historical ethnographical

methodology was utilised, underpinned by an interpretivist theoretical perspective.

Ethical clearance for the study was obtained from the University of Notre Dame Australia Human Research Ethics Committee prior to the study (Ref. number: 2020-193F).

Methods used to collect data included focus group interviews with eight senior educators involved across 50 years of schooling. Two semi-structured focus group interviews form the primary data sources to inform the study. Interviews were recorded and transcribed using Temi, a speech to text transcription tool (Temi, 2020), which was then checked for accuracy by both authors. Analysis of all participant responses were returned to them for confirmation.

Ethnography as a methodology emerged from anthropology and has a basis in exploring cultural phenomena from the point of view of the subject (Griffin & Bengry-Howell, 2017; Woods, 1994). It is used in many disciplines, such as education, medicine and psychology, to examine cultural systems and the interactions which take place within those systems, “This genre enables study of behaviours, norms, beliefs, customs, values, applied human patterns and human phenomena as these are expressed in practice” (Shagrir, 2017, p. 9).

Ethnographic studies take place with people who have experience in a specific environment. There is a focus on specific settings, which in the case of this research, is schools. Data are obtained by interviews with eight people to provide a rich (thick) description of the events and structures of settings within Western Australian schools across the past five decades. Woods (1994) describes this as a micro-historical ethnography, which utilises an historical perspective and examines processes and structures of the events and their impact on the participants.

When undertaking an historical ethnography, researchers discuss and critique events that have occurred in the past, using qualitative methods like ethnographical research, which explore people's understandings and the meanings they apply to their understandings (Walker, 2013). Methods are used to develop the story around critical events that occurred over a period of time and participant perspectives assist in interpreting actions from these times. There is a focus on natural settings, in the case of this research, schools, which utilises sampling of eight people to provide a rich (thick) description of the events and structures of those settings. Woods (1994) describes a micro-historical ethnography, which retains the need for 'presentism', the need to be present in the moment being described, while also utilising an historical perspective and examining processes and structures of the events and their impact on the participants. A micro-historical ethnography is presented in the current study through interviews with those who lived and worked in schools in the historical times under consideration.

A purposeful and convenient selection of focus group interview participants was identified for inclusion in the research (see Table 1 for participant information). Email invitations were sent to principals that were known by the authors to have been teaching in Western Australian schools during the timeframe. Using a snowball effect, the original 10 principals were asked to forward this to any of their own contacts. Over a four-week period, eight principals agreed to participate.

The participants had to have been teaching in Western Australian schools during the timeframe identified, in order to reflect on any changes across these times. Data collected were viewed through an interpretivist lens, in that the researchers interpreted reflections from those who lived through education from 1970 through to end of 2020. Interpretivist perspectives are commonly used in research approaches as they allow the

researcher to examine data that are socially constructed which reflects the contextual understanding of the participants.

[Table 1 near here]

Sample interview questions (total n= 12) in relation to the education of learners with disability across the past 50 years included: What has been the impact of policy and legislation on their educational opportunities? What type of curriculum, pedagogy and environmental changes have you experienced? What do you consider have been the most dramatic changes to the education of learners with disabilities since you started teaching? How has support, parental choice and inclusion impacted on their educational opportunities? Even though all eight participants had experienced the same phenomenon across the past 50 years in Western Australia, the small number of educators may still provide a limited reflection on the changes as they perceived them.

The definition of disability in this paper is the one used in the most current School Education Act (1999) of Western Australia, which identifies students with disability as those with an intellectual, psychiatric, cognitive, neurological, sensory, physical impairment or multiple impairment which is likely to be permanent and results in the need for ongoing support. Interview data were critiqued against the analytical framework for developing principles of justice constructed from Rawls' main ideas, involving five areas of constructivism, reasonableness, public conception, equal rights, and social and economic advantages.

Findings and Discussion

By selecting participants whose teaching career had spanned the time frame for this review, a rich description of the main events in the changes to the education of learners

with disability spanning the last half a century in Western Australia was possible. This micro-historical ethnography (Griffin & Bengry-Howell, 2017), retained the need for 'presentism' (Woods, 1994), and obtained data through reflective focus group interviews.

An analytical framework was constructed by the authors from the work of Rawls (1971; 1993a; 1993b). This framework is applied to critique the reflections by participants on the changes to the education of learners with disability as justice and fairness from 1970 to 2020 in Western Australia. This analytical framework guides the analysis of the historical ethnography presented to determine how social justice and equity principles have been applied to the education of learners with disabilities spanning the past half century.

From a broad perspective, Rawls proposed that any political conception of justice should consider the principles and norms of international law and practice. Initially, these were not evidenced, as international treaties did not provide any specific focus on learners with disabilities, referencing only social justice issues through the Convention on the Rights of the Child (UNICEF, 1989). Throughout the 1990s, though, considerable emphasis was placed on the needs of learners with disability. Internationally and in Australia, there is now a plethora of evidence to confirm that national legislation, policies and practices are underpinned by the relevant universal declarations and conventions that specifically focus on these learners.

Rawls also stated that such principles must apply to basic political, economic, and social institutions. As the international arena was establishing a focus on learners with disability, this was not only seen for education but encompassed wider political, economic and social applications. Through local legislation and policy in Australia and as signatories to these international proposals, it is manifest that Australia is committed

to involving all aspects of society for ensuring more equitable access for learners with disability. Rawls further proposed that justice should be independent of any specific philosophical, religious, or moral doctrine. The general legislation and policies that have emerged from the 1990s and now form the basis for justice for learners with disability in Australia, make clear attempts to ensure that the rights of all learners within the multicultural Australian environment are not influenced by any specific doctrines but include all children regardless of race, ethnicity, gender, origin or cultural background. Across the past 50 years, fundamental ideas for the education of learners with disability have become increasingly embedded within legislation and policy. The rights of all learners with disability to equal access and opportunity are now implicit in the political culture of the society.

The data from the interviews, are discussed (Miles et al., 2014) in relation to the framework developed by the authors around the five principles of justice extrapolated from the work of Rawls. These are related to social cooperation; the notion of reasonableness; evidence of public conception; equal rights; and social and economic advantages for all. Rawls was focused on society in general, however, we are using his principles to view changes through an education lens related directly to the education of students with disabilities. We propose that the seminal work of Rawls is equally applicable to the education context as to society in general.

Establish agreement of principles of justice by social cooperation.

A key theme emerging from the data was that continual changes in policy in Western Australia that was underpinned by an agreement of principles of justice, had led to the varying models of schooling options for students with disability. Through a strong push for social justice principles, there had been several initiatives resulting in definitive

change from purely segregated education facilities to more inclusive options.

Nevertheless, participants confirmed there remains in Western Australia a full range of schooling placements, which while promoting inclusive options, still include segregated special schools. The move towards inclusion was considered evident and supported by parental choice; and it was proposed that this move had resulted in significantly more students with disabilities being educated in the regular school setting.

In the 1990's it was noted that significant changes were made to education through the introduction of national legislation and policy, such as the Disability Discrimination Act in 1992 (Commonwealth of Australia, 1992). As clearly articulated by one participant, "It was through legislation and that social justice view that we've had the change. I doubt that the majority of our colleagues would have moved if they weren't forced" (Emma).

Consensus from the participants was that inclusion had not necessarily been overly successful for all students. As principals, mainly of special schools, participants reported that they were finding increasing numbers of parents trying to revert from a regular class placement, back into a special school setting. Emma reported that "Parents are crying to get in because their children are not doing well in mainstream. So, I have children coming in at Kindy and pre-primary, because they want to be in early intervention, but the majority will come throughout the year".

Another issue raised regarding social cooperation was the lack of appropriate facilities for children with mental health issues in mainstream schools. As Margie said, in her primary education support centre, "I've actually got children with severe mental health. They should be in mainstream. They might have a diagnosis of autism. They might not. They might be psychotic, or pretty close to it". She elaborated on the challenges of offering an appropriate placement to the students within a centre, "They're

not attending school. Their parents are pulling their hair out. I said, yes, I'll take them. I make sure I've got a cohort that can be in a class where I can run a normal mainstream curriculum for them with some adjustments. I try and get them back into mainstream. So far, I've been successful". Although these students would not traditionally be able to access a centre or special school, principals were living social justice principles through social cooperation, by accommodating the specific needs of students who were unable to cope with the demands of a regular school environment, when no other options exist.

Application of reasonableness that a society would accept.

Issues surrounding reasonableness of what society would accept regarding the inclusion of learners with disabilities in regular schools, raised two key themes. Initially, participants felt that special schools were established as a reasonable option for students with disabilities, which was supported by strong parental advocacy in the 1950's to provide education for students who had previously not been in school. They suggested that the diversity of the students accessing special schools, however, had changed quite dramatically since the inception of this approach. Participants suggested that special schools originally catered for approximately six percent of students with disabilities, although they suggested that in 2021, this was now less than one percent. They highlighted that the demographics of the current cohort in special schools consisted of students with considerably more severe disabilities and medical needs than previously. Not all students with high support needs are in special schools, as with increased parental choice, these students may also access centres or regular schools.

These changes were deemed to have evolved over time as society had become more accepting of the appropriateness and reasonableness of providing more inclusive educational opportunities for students with disabilities. "Parental choices have made a

huge difference, and the fact that children can be enrolled in their local school instead of bussing to wherever” (Helen). Since the original parental advocacy for school placement, they had noticed a perceptible increase in the development of relationships between parents and schools. According to John, “I think originally the parents were just grateful for their children to be at a school. That's fantastic. Great. My child's going to school now. They asked more questions now though and they want more. So, I think that the partnership has become closer over time.”

The second theme regarding reasonableness of what society would accept was related to the quality of teachers employed to support learners with disability. In the 1970s in an attempt to entice staff to work in special schools, grants were offered for the training. While most requests for funding were women, who competed for the limited number of grants, men who demonstrated interest in the area were immediately offered support. “So I started teaching in ‘84, in WA, in early childhood. And there was no, special education. You just got all of the children into early childhood” (Helen).

Regarding initial training of teachers in preparing them to teach students with disabilities, there were mixed responses from participants. Some participants saw the enthusiasm, knowledge and positive attitudes that new graduates exhibited as a welcome addition to the school. For example, one participant (Jackie) commented, “Well, I think that new grads are brilliant, and I think that a lot of them have come through schools where they have had these students”. When asked if graduate teachers have a good grounding in special education, the response from participants was not so positive; “I mean, not really, no, I'm not finding anything” (Emma). Even though it was acknowledged that they had some background knowledge in some areas such as ABLESWA and the Australian Curriculum (Australian Curriculum, Assessment and Reporting Authority [ACARA], n.d.), this required further application within an

education support setting. Belinda stated, “I usually say to the grads (they're terrified). They'll come out and they'll know some stuff, but they still have to have practice in real life, in their own classes to actually own it”. Due to the diversity of special schools and centres, it was proposed that society expected ongoing training for all staff who were to teach students with disabilities. It was deemed an essential component for meeting the needs of students with disability. They agreed that it was reasonable to assume that society could expect teachers to be appropriately prepared to meet the needs of all students. While there has been improved training for teachers in the area of special education, the general opinion of participants was that there is still some way to go.

Public conception of justice is evident to everyone.

The focus of the discussion related to conception of justice revolved around the attitudes of school staff, parents, and society in general. The participants corroborated that attitudes towards disability had changed over time from those in the 1950's and 60's, where people lacked understanding of the cause of disability. At that time, they intimated that various myths existed regarding the aetiology of disabilities, for example, Anne stated that “Autism was thought to have been caused by mothers not caring or being cold towards their child, known as ‘Refrigerator Mother Syndrome’, which was not pleasant for the mother”. Similarly, sugar and food colouring were considered causes of Attention Deficit Hyperactivity Disorder (A-D/HD). Parental lack of understanding of their child's ability, often supported by erroneous information from medical professionals, led to a belief that their child would gain nothing from attending school.

Societal acceptance, better understanding of causes and the nature of disability, and limited diversity of cultures in Western Australia during the 1960's and 70's, was

considered the impetus for leading to the expulsion of most myths and a general improved acceptance of students with disabilities. More recently, since the early 2000's, though, they stated that there had been a dramatic change in the cultural diversity of Australia. Relatively large numbers of migrants, including refugees from less developed and/or war-stricken countries, had been granted residency. Participants reported that many of these ethnic groups have different understanding of disability which impacts on their choice of schooling. Newer immigrants from less developed countries were likely to feel a sense of shame regarding having a child with a disability and tended to seek out settings that were more exclusive from mainstream, to 'hide' or 'fix' the child. An example provided by Belinda was "... they are really battling with disability. One dad was so ashamed when we had our induction day last year, there were children everywhere, but dad was nowhere to be seen. I walked around the corner. There's a bench near the adapted toilets, there he is sitting on the bench sobbing. Since that time, he's forbidden us to talk about his child being in the school or tell anybody that he went there." Belinda also stated that "There's two reasons [for parents seeking a placement in a special school for their child]. One is the parents desperately want early intervention. The other is that the family of people who don't understand disability so much have heard we do some good work and maybe we can fix the child". Public conception of justice was clearly strongly linked to culture in the Western Australian context. There appears a lack of evidence that everyone, especially newly arrived immigrants, have a well-defined understanding of what constitutes justice in education.

Equal right to basic liberty for everyone is compatible with that offered to their peers.

Changes in rights to basic liberty were considered to have been one of the major adjustments to have occurred since the participants commenced their education careers. Prior to, and including 1981, they confirmed that there was no equal right for all students to attend schooling. Students with the highest support needs were also unable to access a special school as the criteria stated that a child would have to be toilet trained to be allowed into the school. As noted by (Rob) when working in a special school in 1980, “I said, what are those kids there on the other side of the fence? They weren’t in the school; they were in an activity centre. So, they were next door, the activity kids had basically relatively high needs, they were generally non-verbal. Most of them I guess, were not toilet trained”. The activity centres that provided respite for children with the most profound support needs, were not run by the Department of Education, but were provided by social services (Disability Services Commission). Before education for all was made available in the 1980’s, children who were not attending activity centres may have been placed in some of the existing mental asylums. It was acknowledged that the Karmel Report (1973) had a big impact on ensuring that all children were able to attend an educational institute.

One of the best approaches considered by the participants to support schooling for learners with disability in more regular environments was the introduction in the early 1980’s of education support centres. These centres were designated to be placed on site with regular schools, offering a placement for students transferring from special schools to regular schools. They also catered for students within the regular settings who had difficulty coping with the generalised, rigid expectations of the regular classroom. This approach to schooling ensured basic liberty for all students in a supportive and considered setting. Each centre was autonomous with its own principal and teaching staff. Being placed on the site of a regular school, the intention was to

enable greater interaction between the staff and students. In some settings where it worked well it was considered "...a great model because then for the first time, the children with disabilities were on-site getting their specialist education. Staff are mixing. The children are mixing" (Belinda). Nevertheless, participants asserted that the collaboration between the schools varied enormously depending upon the leadership teams and the level of understanding of staff in both settings. While this model provided equal right to education for all students with disability, it did not necessarily provide for equal access to the same schools as their peers.

Initially principals of the regular schools were provided additional funding for accommodating a centre on site. The change in school governance to self-determined schools with a one-line budget, was considered to have provided greater flexibility with the use of funding to address individual student needs. Conversely, it was suggested that supporting the administrative costs of having a centre on site, had meant that the regular school no longer received additional site funding and, therefore, required the centre to cover running costs such as power, water and maintenance. Participants raised the importance of building collaborative relationships between the school principals and staff, and they suggested that only around half of the existing settings had established effective working relationships. When relationships were not good, tensions were evident between schools, leading to limited opportunities for teacher collaboration and peer-to-peer interaction. Participants gave many examples where funding issues had caused great tension between the centres and the schools leading to limited inclusion.

In the mid-1990s, following the Shean Report (1993), the previously limited visiting teacher program, established to support learners with disability in rural areas, was expanded to support all regular schools. This was as parents were given the right to have their child with a disability attend the local school. Schools subsequently reported

that they were somewhat overwhelmed by this and the teachers and principals said they did not know how to support the students. Initially, the service was divided into distinct categories of support (e.g., ASD, multiple, physical, intellectual and early childhood). Funding that was provided was a healthy budget, including money for physical and curriculum access. The service was centralised, although the visiting teachers (approximately 20 -30) spent most of their time in schools. A consultant model structure was employed to assist schools in making whatever adaptations were needed to support learners with disability in regular classes. As explained by Helen "... it was a wonderful model that we operated under and other states were quite envious of the support that was offered at the time". By early 2000 the model changed to a generalist approach, which had expanded up to approximately 60 staff, although the visiting teachers still worked in schools. This was later fine tuned into specialist areas of support such as technology, ASD, and development of materials within the Production Resource Centre.

It was projected that special schools might no longer be needed once the centres were well established, however, this did not eventuate. Initially the centres were designed to cater for a maximum of 25 students. Subsequently, the centres continued to exist, although the numbers expanded considerably with participants reporting that in 2021, student numbers in most centres are much higher. While the number of special schools have reduced marginally, special schools are still considered the best option for the placement of students with high and profound support needs and/or severe medical conditions.

Where selected new regular schools are being built, the existing special school and centre model has transformed again with a greater focus on an inclusive and more equitable setting and the provision for students with disability within the one school site, under the management of the same principal. In new developments, it was

reinforced that the regular school principal will now have overarching responsibility for both the regular and special education offerings, with an associate principal overseeing the day-to-day operations of the students accessing special education. While it was proposed that there had been a huge increase in equity between previous offerings for students with disability since the 1970s, compared to their peers, participants considered that there remained many inequities regarding equal rights to access the same education, with outcomes relying heavily on individual's decisions and decision-making.

Social and economic advantages are those reasonably expected for everyone's advantage and available to all.

Three areas were raised as impacting positively on improved social and economic advantage for students with disability. These were the vast improvements and increased access to technology, the introduction of curriculum focussed on functionality, and the increased per capita funding available for students with disability.

In order to achieve equitable social and economic advantage for students with disability, increased availability of technology was perceived to have been a major influence. Access to specific augmentative technologies had increased dramatically allowing students to engage with the curriculum and social elements of the classroom and community; even those who had limited movement, speech or sensory ability were now deemed able to access most aspects of schooling like their peers. Many mainstream technologies (such as the iPad and smartphone) had in-built functions to address the needs of people with disability, while ensuring that the person was socially accepted. By providing appropriate assistive technologies, it was considered to offer an economic and social advantage which benefitted all members of society through increased productivity and inclusion. As summarised by Helen, "...it's now become quality

education meeting the needs of the students. Of course, there's now legislation and governments have had to cough up the money. With the internet and the availability of much more information... from children, not having anything to now just using their eyes, eye-gaze technology is amazing, and all of the wonderful communication devices compared to that horrible PODD [Pragmatically Organised Dynamic Display]”.

There was a proposed an enormous range of curriculum options now available for schools and teachers to choose to support students with special needs, which had been made available, mainly in the last 20 years. Some of these options were identified as VET (Vocational Education and Training) related, providing increased opportunities for students to be better prepared for school-work transitions and to become active members of society. The curriculum options available were deemed to have a continuing strong focus on functionality, which provided a more solid foundation for enabling students with disability to access community and the workforce when they leave school, on the same basis as their peers.

An increase in per capita funding for students with disability, regardless of the setting in which they were enrolled, was raised as an important and reasonable support to enhance the capacity of schools to address the individual needs of students. The flexibility that was now available for schools through greater devolution of resourcing and funding through a one-line budget, had allowed schools to make more targeted decisions around staffing and resources. As a principal of an education support centre, Margie noted that, “Resourcing has actually improved, so we are able to support the children a lot.... we can spend one bucket of money to do with it, what we need to, and that has given us a privilege that we can do a lot more support in whatever way. I mean, by therapists ...I employ speech therapists, you don't just have to have your teachers. You can actually employ a number of people that will assist in all those self-regulation

and social areas.” The consensus of the participants was that at the end of the 1970s children with disabilities were significantly socially and economically disadvantaged compared to their peers. They established that there had been enormous changes in what was considered reasonable for supporting learners with disabilities over the past five decades. While acknowledging that some people may always complain about insufficient funds to provide everything they wanted for their students, that in their opinions what was being provided in 2020 was reasonable to ensure parallel advantage for children with disabilities compared to their peers.

Conclusion

It is now 50 years since Rawls’ work on his theory of justice was published, yet it continues to have an enduring impact on philosophical discussions about fairness and equality. In an attempt to make sense of what is happening in society today, increasingly people are reverting to Rawls’ celebrated work on social justice to understand how to rebuild trust, restore a more cohesive society, and ensure a common sense of purpose. According to an article published in *The Observer* on the 20th December 2020, it was suggested that “It seems that Rawls’s magnum opus is once again making the weather in discussions about the fair society” (Coman, 2020, para. 6). In this research, we have asked a small group of highly experienced educators to reflect upon five key principles that we extrapolated as a framework for this research from Rawls’ theory of justice as being pertinent to education: constructivism, reasonableness, public conception, equal rights, and social and economic advantages. These have been reviewed from the perspective of educational changes for learners with disability in one state in Australia. It would seem from the reflections that Rawls’ principles have as much relevance for educational change as they have done for society in general.

From the discussions it was evident that participants reported that substantial and equitable gains had been made regarding the education of learners with disability since the early 1970s. They considered that by establishing agreement of principles of justice, this had led to new schooling options for students with disability. The principals agreed that through better underlying social justice principles, new initiatives had resulted in decisive change towards more inclusive options. They proposed that special schools were established through the concept of reasonableness; although they conceded that the diversity of the students accessing them, had changed significantly since the inception of this approach. While considered reasonable in the 1970s, attitudes of society towards special schools now had dramatically changed. As they believed that society had become more accepting of students with disability, they proposed that this had led to greater opportunities for inclusive education.

The concept of justice in education was reinforced by the more positive attitudes of school staff, parents, and the society who had improved understanding of the cause of disability. A rights-based approach to liberty was viewed as a major adjustment to have ensued since they commenced their education careers. Positive impacts on improved social and economic benefits for students with disability were related to technology, a functional curriculum, and increased per capita funding. In total they established that many changes had occurred that had contributed to more equitable prospects, socially just environments, and equality of opportunities for learners with disability.

When interpreting these findings, consideration should be given to the relatively small number of participants who may not have experienced the full range of changes that occurred in the education of learners with disability, across different regions and schools in Western Australia. A larger sample of principals may provide additional information to help address this limitation. Further, the framework that was developed

from the work of Rawls, provides a societal aspect of what is needed to ensure application of his principles of equal liberty, difference and equal opportunity. Within an educational frame, these may not address the many smaller and more specific changes that have occurred which fall outside of these global principles. Such particular changes that apply only to education might have also contributed to the perspectives of policy and implementation changes noted by the participants.

Constant reflection and thought on social justice issues is more relevant than ever with rapidly changing societies. From the discussions with educators who were present during the educational transformations occurring in Western Australia across the past 50 years, it was evident that highly significant shifts have occurred that have resulted in more equitable and fairer options for learners with disability. Educational changes were reported to have unequivocally impacted on opportunities for students with disability. There was little doubt that they concluded that education has become more equitable for students with disability and that society benefits from this parity. Participants stressed that changes in attitudes towards people with disability, together with policy, legislation, and increased expectations of achievement, have all heightened social justice and reformed educational practice. They posited that such changes ensured that public conception of justice was now evident to everyone.

The rights of children with disability are now embedded within legislation and policy. Without the legal impetus, the educators who reflected on practice over the past half century, considered that many of their colleagues would not have accepted and supported a more inclusive approach to education. They deduced that a significant increase in parental choice and a greater focus on teacher preparation for inclusion, together with improved support structures, confirmed the reasonableness that a society would accept. It was determined by these educators that the rights of learners with

disability had moved over the past 50 years to become much closer, and more compatible with, their peers. Social and economic advantages for learners with disability were assisted by access to appropriate technologies, more formalised and functional curricula, and increased funding per capita. They concluded that during the same time frame, since the publication of Rawls' theory of justice, education in Western Australia had changed rapidly with unprecedented revolution in the use of technologies, curriculum, and funding, which have opened many opportunities for students with disability.

Education tends to be introverted in the way it assesses and reviews itself. By utilizing a broad social framework for reviewing educational change, it is possible to consider the impact of change in education within society in general. The work of Rawls enables a new perspective on reviewing change and the impact of policy and legislation on the rights of learners with disability. It is evident from this dialogue with experienced teachers that there is a lot to be gained by looking at a more comprehensive review of educational policy in the future, to ensure that changes are appropriate and relevant for society in general.

The next 50 years are likely to see an even greater, exponential transformation in the provision of, and access to, schooling for students with disability. Will the seminal work of Rawls, undertaken 50 years ago, continue to find a place in discussions and educational debates, and contribute to future decision-making for safeguarding equitable educational rights and justice for all learners during the next half century? As the foundation of his philosophy transcends politics and cultural norms and provides an excellent basis for dialogue around equitable access to, and engagement in, education for all students, we certainly hope that it will.

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Table 1

Participant information

Identifier Pseudonym	Number of Years teaching	Number of Years in Special Education	Most Recent Role	School Type
P1 John	51	47	Principal	Education Support Special School
P2 Rob	45	37	Principal	Education Support Special School
P3 Belinda	25	23	Principal	Education Support Special School
P4 Emma	51	40	Principal	Education Support Special School
P5 Margie	30	21	Principal	Primary Education Support Centre
P6 Jackie	40	21	Principal	Secondary College Education Support Centre
P7 Helen	36	26	Communication Specialist	Education Support Centre
P8 Anne	22	20	Special Education Teacher	Primary Education Support Centre