

Inclusive education in New Zealand: rhetoric and reality

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Abstract

Purpose – New Zealand continues to struggle with interpreting and implementing its current policy of inclusion, especially as it relates to children traditionally known as having “special educational needs”. The purpose of this paper is to trace the discursive development of institutionalised Special Education in New Zealand and examines how the funding and policy mechanisms of neoliberalism within which rights-based inclusion was introduced have complicated the planning and delivery of services in schools.

Design/methodology/approach – The paper draws on Gillian Fulcher’s (1989) discourses of disability as they are expressed through policy documents and educational reports to examine the language and values that have underpinned the development of Special Education policy and provision in New Zealand.

Findings – The paper has identified and attempted to explain the extent to which traditional forms of exclusion have continued to structure current policy and practice despite a paradigm shift to inclusion. It argues that this has militated against clear understanding, acceptance and success of this major paradigm shift.

Research limitations/implications – In examining the social nature of disability, and its implications in the structures of education today, it is possible to consider opportunities for acting to address these.

Originality/value – The value of this work is in taking an historical approach to help understand why there continues to be a distance between policy rhetoric and the reality of its implementation in practice.

Keywords Inclusive education, Special education, Exclusionary special education practices

Paper type Conceptual paper

Introduction

New Zealand’s sweeping educational changes of the late twentieth century incorporated a model of inclusive education where all students were given the same right of educational access and opportunities at their local school. New Zealand’s commitment to inclusion has since been formalised in the signing and ratification (2007-2008) of the United Nations Convention on the Rights of Persons with Disabilities (2001) and the ongoing development of a New Zealand Disability Strategy[1]. The term inclusive education, regarded then as a progressive idea, was written into policy statements. Yet, the attempt to fulfil the social and educational commitment to all students that is encapsulated within this term has not been straight forward. As Hornby (2012) has suggested, New Zealand continues to struggle with interpreting and implementing its current policy of inclusion, especially as it relates to young people traditionally known as having special educational needs. In particular, the resilience of traditional forms of exclusion, along with organisational constraints that are largely a function of the current policy context, have highlighted difficulties relating to how the rights of students within the principles of inclusive education might be recognised and incorporated into practice.

This paper suggests that problems in realising inclusive education for these young people have their roots in the historical development of what became known as Special



Education in New Zealand, in the ideological underpinnings of past and current policy and practice, and in a lack of clarity about what the terms inclusion and inclusive education really mean. It argues that interrupting the nation's long history of exclusionary forms of special education requires major ideological and practice-related shifts. To make such shifts, that history must first be understood rather than taken for granted. In order to provide a more comprehensive understanding of ways in which our current practices are embedded in the past, the paper first traces the discursive shifts in the development of institutionalised Special Education in New Zealand and the contexts within which they became dominant. It then examines how the funding and policy mechanisms of the neoliberal managerial policy environment within which rights-based inclusion was introduced have complicated the planning and delivery of services in schools and militated against clear understanding, acceptance and success of this major paradigm shift.

Early exclusionary practices

The practice of placing specifically selected groups of young people in specialised forms of educational provision in New Zealand was established within settler communities in the country's early missionary and colonial periods. In the absence of a settler government and central education bureaucracy, members of the voluntary sector developed native schools, industrial schools and orphanages for children who were seen to be in need of care or control. Such initiatives were a form of social exclusion and correction on the grounds of "uncivil" behaviour or from fear that lack of appropriate socialisation would render young people considered to be at risk particularly vulnerable to engaging in such behaviour (Jacka, 2010; Stephenson, 2008). This laid the foundations for educational differentiation and exclusion as the national system was established.

Once central state control of education was established with the 1877 Education Act, exemption from compulsory schooling for young people on the grounds of "sickness, danger of infection, temporary or permanent infirmity" (The Statutes of New Zealand, 1877) legitimated further dimensions of social exclusion. Then, within a year "the standards" were introduced to provide the basis of progressive stages of curriculum delivery and assessment in the national schools. As Stephenson (2008, p. 7) notes, these became the "official norms against which all New Zealand children could be measured, assessed and categorised". Examinations were held each year and those children who could not meet the expected progress prescribed within their particular standard were not automatically promoted along with those whose success was demonstrated in an examination pass.

In the early years the school inspectors conducted the examinations, and it was not long before they were remarking in their reports to the Department of Education that considerable numbers of children were not having an opportunity to advance with their age peers from their infant classes to the first standard (Winterbourn, 1944). In the Minister of Education's report of 1893, for example, it was noted that records were being compiled of "the number of children over eight years of age who [had] not been presented in Standard 1"[2] (New Zealand Parliament, 1893, E-1, pp. iv-v). The numbers had raised concern and while some inspectors felt that the reasons the head teachers had given for holding back the children justified their action, others did not. In Otago, for example, "lateness in entering school, irregularity of attendance, and dullness" (p. iv) were considered reasonable justifications for the lack of progress. In Westland "irregular attendance and hopeless laziness" (p. iv) were seen to be a poor excuse for an

excessive number of children not advancing, while in Taranaki poor health featured, as did “incapacity” and the fact that the children were “not sufficiently advanced”. For the Taranaki inspector, the responsibility did not rest solely with the pupils. Rather, he felt, “the majority owe their backward state of preparation to inefficient instruction as well as to the frequent changes of teachers in the schools of the district” (p. v).

The passing of the School Attendance Act in 1894 provided the official basis for the enforcement of compulsory attendance, and debates amongst the inspectors ensued about possible implications. In Wellington, Inspectors Lee and Fleming feared that that the appointment of truant officers could result in overcrowding the schools with pupils who would not cope with the demands of the standards:

It is more than probable that the newly-appointed Truant Officer will bring an influx of backward children into the schools; and, if this is proved to be the case, some of our existing schools cannot find available space for them. We think the plan now in vogue in London, Auckland, and elsewhere of having separate schools for backward children, who, to some extent, need special treatment, has much to commend it. [...] A school for backward children, as here suggested, would include many of, if not all, the children (of whom there is a class of twenty or thirty in each of our large city schools) who are over nine years of age and not able to pass the First Standard (New Zealand Parliament, 1897, E-1b, p. 16).

If compulsory schooling, as a right for all, could not accommodate all pupils, Lee and Fleming were uncritical in their understanding of those who should be excluded. The four Otago inspectors, however, took a different stance, to “specially advocate promotion in the case of children of weak intellect” (New Zealand Parliament, 1897, E-1b, p. 41). While they acknowledged that social promotion might provide some intellectual stimulation for the young people, it was not in the expectation that this would enable them to gain an examination pass. This was never a consideration. The real basis for the inspectors’ advocacy lay in the problem the young people caused for others:

Their presence in the infant departments of the larger schools is an injustice to their younger companions, to the teacher, and to themselves; and though the passing of a standard is hopeless, their apparent association of these backward pupils is generally detrimental to the discipline, and tone of these classes, and it would be well for all concerned were they placed whenever possible with children nearer their own age (New Zealand Parliament, 1897, E-1b, p. 41).

These views, as well as some concern that teachers had to spend time assisting backward children at the expense of their normal classmates (Winterbourn, 1944) were early indications that the backward child had become an officially defined problem for school administration and provision.

The problem of the backward child was addressed through the establishment of Special Education, and was informed by developments in social knowledge which began to emerge in early twentieth century New Zealand. The scientific study of changes throughout the child’s life that came to be known as developmental psychology was particularly influential in expanding the realm of exclusion to include delayed development. The development of initiatives in the field was also underpinned by scientific reasoning based on notions of genetic inheritance as expressed through eugenics. Membership of eugenic societies included specialists in the fields of medicine, welfare and criminology, of philanthropists, clergy and politicians (Stephenson, 2013). As public officials, private benefactors and professional experts, eugenicists were influential in shaping policy directions in health, welfare and education which would define the limits and possibilities for some New Zealanders, young and old, and ensure the physical exclusion of those deemed as genetically unfit (Chapple, 1903). At the same

time their coming together in a formalised way supported a problematic conflation of all dimensions of difference that were reduced to the genetic flaw that caused feeble-mindedness.

Within education, the Inspector-General of Schools, George Hogben, became an influential figure in having concerns about backward children recognised (Roth, 1952). When Hogben embarked on a visit to schools and other institutions in Europe and America in 1907, an important task was to examine initiatives that were in operation elsewhere for children who were not being schooled in the regular system (Department of Education, 1908). He paid particular attention to Chicago's Parental School for feeble-minded boys on which he modelled New Zealand's first reformatory. He also took note of the "ungraded classes" that were being trialled in Chicago for children classified as subnormal, incorrigible, behind their classmates, or unable to understand English well (New Zealand Parliament, 1908, E-15, p. 50). These provided the basis of New Zealand's special classes which, although not introduced until some years later, were incorporated into the Education Act of 1914. As noted in retrospect by a departmental officer of Special Education, "the establishment at a primary school of the first special class for handicapped children ushered in a slow but steady integration of the administration of special education services" (Ross, 1972, p. 18).

This meant that from Hogben's experiences overseas, two forms of Special Education provision were advanced. Because close study of genetic patterns could reveal minimum capabilities or capacities, institutionalisation of "ineducable" cases could be legitimated. Similarly, close study could also reveal inhibited potential, and perceived appropriate treatment could be devised through which to ensure that optimal development was made possible (Stephenson, 2013, 2014). This work required diagnosis, categorisation and treatment which were seen to depend on the support of the relevant expert, and one of the earliest experts brought into New Zealand was George Benstead, who would become Director of the Otekaike Institution for feeble-minded boys. His appointment was based on his prior employment as "headmaster and superintendent of the late Queen Victoria School at Windsor – Culham College, Oxford, and subsequently, among other appointments, the superintendence of the Chorlton and Manchester Epileptic Asylum at Lancaster" (*Evening Post*, 1909).

The trajectories of exclusionary practices

One question raised by this early history of exclusionary practices, is how the children were understood, discussed in social and political contexts, and written about at this time. To a great extent this becomes an official story by default because available documentation is almost exclusively from the official records. In her comparative study, Gillian Fulcher (1989) provided a comprehensive discussion of three traditional discourses of disability that intersected in significant ways during the early twentieth century. An examination of what she terms the charity, lay and medical discourses that underpinned policy at the time are all recognisable within these New Zealand developments and provide an important framework from which to understand the nature and impact of institutional practices and the attitudes that underpinned them. The pervasive nature of their dissemination and legitimation in practice also helps to understand why they continue to "inform practices in modern welfare states" today (Fulcher, 1989, p. 26).

An early unproblematic linking of physical and intellectual disability was expressed in the reports that came from the first specialist state institution established after the passing of the 1877 Education Act. This came from the Director of the Deaf and Dumb

Institution, established at Sumner in 1880, who declared that “the mental calibre of the pupils, with two or three happy exceptions, is below the average” (New Zealand Parliament, 1880, H1-E, p. 2). The understanding that limited mental capability would define the range of occupational options that would be available to the students was evidenced in the work skills which were part of the school programme and in its prospectus. The institution was to impart “good moral training” and “habits of industry”, so that “as far as is consistent with their natural defects”, the boys could be useful tradesmen, gardeners or farmers, and the girls could be useful in the domestic sphere (New Zealand Parliament, 1880, H-1E, p. 1).

With the fusing of health and educational concerns, and fuelled by the supposedly scientifically based eugenic ideology in shaping the dominant perception of moral, mental and physical degeneracy in New Zealand, the medical discourse, with its “image of disability as physical incapacity” (Fulcher, 1989, p. 26) became a dominant theme in framing what Moore *et al.* (1999) called the functional limitations model of special education in which students’ schooling problems were located within the students themselves, as a function of their disabilities. In this form of analysis the students’ deficits of body, mind and character were a personal problem which required expert intervention to diagnose, treat and cure. Fulcher highlights how this was taken up by those working in the field:

Medicine is the main institutionalised site for its discursive practices and the professions that “deal” with disability. Social workers, therapists, physiotherapists, nurses, teachers, borrow the logic and politics of medical discourse on disability and deploy its authority and influence to legitimise their own professional practices (Fulcher, 1989, p. 26).

The implications went deeper, however, because of the ways that the charity and lay discourses intersected with, influenced and were influenced by the dominant medical model. When viewed as objects of pity, fear and resentment, as dependent and requiring of support and charitable benevolence, the advice and paternalism of the experts and the maternalism of charitable institutions became naturalised and necessary to transcend personal ignorance and to rule out the logic of independent decision making. George Benstead explained the aims of those involved in the work at Otekaikē:

(i) to make our patients sufficiently capable to go out into the world; (ii) to cure them so that they are enabled, under close supervision of friends or relatives, to earn their own living; (iii) to detach the unfortunate ones so far from their trouble that under cover of the institution and its guardians, they are still capable of contributing to their own maintenance by light labour (*Evening Post*, 1909).

Benstead’s professional experience and his understanding of his “patients” expressed pity and paternalism. They conflated ideas of sickness and cure through expertise and dependence on supportive others, to meet an ultimate goal of economic utility. Through these discursive processes students were known by others in terms of their pathology. They also came to know themselves in such terms, as did their families, along with the decisions of the supposedly neutral experts and benefactors. This included a common sense acceptance of their limitations as useful contributing citizens and their likelihood of being “the fit man’s burden” (Chapple, 1903, p. xii). For Hogben, the expert teacher and medical specialist needed to cooperate. “It is infinitely better”, he said, “for one of these unfortunates to become the humblest kind of farm labourer than a hanger-on in a town slum” (New Zealand Parliament, 1908, E-15, p. 68). This notion of economic utility

became significant in the development of social and educational policy and maintained a focus on exclusion and correction (McLean and Wills, 2008). As Goggin and Newell (2003, p. 24) suggest, “there is a clear link between these embedded assumptions, concepts and powerful images in these discourses, and the discriminatory practices people with disabilities face in their everyday life”.

Equal opportunity?

During the 1930s, the impact of the great depression and the election of the country’s first Labour Government brought major social, economic and political changes to the country. It also brought a new way of thinking about education that reflected the significance of international trends toward progressive education which were embraced by two key people engaged in education at the time, the Minister of Education, Peter Fraser and Clarence Beeby, who later became Director of Education. The view that education should cater for the individual student regardless of ability was expressed in a new mission statement penned for Fraser’s annual ministerial report on education (Roth, 1952):

The Government’s objective, broadly expressed, is that every person, whatever his level of academic ability, whether he be rich or poor, whether he live in town or country, has a right as a citizen, to a free education of the kind for which he is best fitted and to the fullest of his powers (New Zealand Parliament, 1939, E-1, pp. 2-3).

Within Special Education, however, there was little discursive shift. Segregation based on the medical model continued to dominate as the optimal means of providing individualised opportunity “for those students who suffer from handicaps, physical or mental” (New Zealand Parliament, 1941, E-1, p. 4) throughout the war years. The Minister deemed that “the educational problems” these young people presented demanded that they “be the object of special attention if they are to have any chance of becoming useful citizens”. The setting up of a new occupation centre in Christchurch aimed to teach “lower grade children of eleven years and upwards” to prepare vegetables for their own meals, to carry out everyday household tasks “and generally become, if not independent, at least happy and occupied members of society” (New Zealand Parliament, 1941, E-1, p. 4).

In a context of war and associated family dislocation, escalating concerns about truancy, low achievement and home difficulties prompted the authorisation of education boards to appoint visiting teachers in some of the larger centres. In effect, the Minister of Education explained, visiting teachers would be “school social workers, responsible for the study and treatment of individual children who find difficulty in adjusting, for one reason or another, to normal school life” (New Zealand Parliament, 1943, E-1, p. 4). The problem, it appeared, still sat squarely with the student, and by 1944, nearly 1,800 were enrolled in a variety of special schools, classes or clinics.

Attempts to professionalise Special Education saw, for a short time, a third year of specialist study in the education of backward children for teacher trainees, and the development of specialist educational services during the war years. This emanated from the Industrial Psychology Division of the Department of Scientific and Industrial Research and involved secondment of Ralph Winterbourn from some of his commitment at Canterbury University to a split role as an industrial and educational psychologist (Alcorn, 1999). The establishment by Beeby of the Psychological Service for schools was further supported by training courses at three major universities (Bowler, 1997). By 1962, however, the comprehensive *Report of the Commission on*

Education in New Zealand was acknowledging that “physically and intellectually handicapped” children were amongst the groups of children whose special needs were not being met within the system and extensions to training and after-care services were recommended (Currie, 1962, p. 15). Again the rights of the children with special needs were not central to the proposed solution. It was the impact of international politics that became the major impetus for change.

Being included: a shift in discourse

Fulcher identifies an “overtly political” rights discourse that ultimately challenged the traditional discursive construction of disability through its themes of “self-reliance, independence, consumer wants (rather than needs)” (Fulcher, 1989, p. 30). Its critical intent was to overcome marginalisation, to empower students and their families, and to influence policy and practice with a view to realising a goal of inclusion (Winter, 2003). Fulcher’s discussion again provides important insights into the philosophical and ideological shifts that shaped the next phase of developments in Special Education in New Zealand. These were largely the product of the world-wide social movements following Second World War, particularly those initiated in response to the overt institutional racism in the USA. The historic US court case in 1954, *Brown v. Board of Education*, decreed that “separate but equal” was unconstitutional and violated the 14th Amendment rights of African-American children by separating them on the classification of the colour of their skin (Dougherty, 2004). Using similar arguments relating to discriminatory practices and rights to a “free and appropriate education” (p. 779) “in the least restrictive environment commensurate with their needs” (p. 793), the Education of All Handicapped Children Act was passed in 1975[3]. These American initiatives were precursors to events which began to shape the approach to Special Education in New Zealand (McLean and Wills, 2008).

While awareness of issues relating to human rights took some time to filter to New Zealand, the then Minister of Education, Phil Amos, organised an Education Development Conference in 1974. At this event concerns were expressed about aspects of the country’s education system that prompted calls for a policy based on the principle of equity. One response from the conference advocated a policy direction “whereby all new schools should as far as practicable incorporate provisions for access by handicapped persons” (Department of Education, 1977, p. 16). This statement contained some recognition that the goal of equality of opportunity could not be realised by the current system, given the difficulties of access being faced by certain groups of children. Nonetheless, the Human Rights Commission Act passed the same year, whilst decreeing discrimination in employment and education as unlawful, “by reason of the sex, marital status, or religious or ethical belief” (The Statutes of New Zealand, 1977) did not identify disability as a factor to be considered. In response, between 1978 and 1981 there was sustained advocacy for appropriate legislative action. Of significance were recommendations from The International Year of Disabled Persons National Committee for amendments to the education legislation which would allow students with disabilities to be educated in “normal school environments” and to support the training and employment of people with disabilities as teachers (Ministry of Social Development, 2014, n.p.).

Gains were piecemeal, however, and it was not until 1987 that Special Education was “thoroughly reviewed” (Brown, 1997, p. 143). The *Draft Review of Special Education* ushered in principles of equity and collaboration. It advocated a system in which supporting children with special education needs and disabilities to be educated

in regular classrooms would be “a co-operative enterprise of parents, the community, students and special educators” (Department of Education, 1987, p. 14). Planning and ongoing support for mainstreaming of all children was recommended with a view to developing a special needs programme that was universal, integral, lifelong, unified, needs based and accountable. In their discussion of the strength of parent advocacy at this time, Brown and Thomson (1990, p. 9) explained that “a lot of people had been working for a decade or more to achieve this legislation”. However, this buoyant environment of collaboration and consumer rights was not to last long.

The passing of the Education Act 1989 was the catalyst to introducing inclusion into the state education system. It legislated for a system in which all students were given the same right of educational access and opportunities at their local school. This ushered in a paradigm shift away from the traditionally dominant medical model’s reliance on segregation and correction to an ecological paradigm that required educators to focus on an inclusive educational environment structured to meet the needs of all students (Moore *et al.*, 1999). However, within the rhetoric of “choice” which was fundamental to the new policy framework, Clause 8 of the Act provided the opportunity for parents to enrol their child with special needs in a state school or special class, school or clinic. This meant that some special satellite units were retained for New Zealand students.

The terms of the Education Act were supported by The Human Rights Act in 1993 which acknowledged disability as a basis of discrimination, and were expressed in the policy *Special Education 2000* that signalled the government’s aim “to achieve over the next decade a world class inclusive education system that provides learning opportunities of equal quality to all students” (Ministry of Education, 1996, p. 5). This naming of the document officially reinscribed the language of Special Education in policy, and reflecting the neoliberal governance model of devolution through which the administration of education was structured at this time, it was primarily up to schools to manage the process and its funding. Responsibility for Special Education was thus devolved to schools for students aged 5-19 years.

The New Zealand shifts in educational policies largely coalesced with global views on inclusive education and suggested that students with special education needs and their families would receive appropriate support within an inclusive educational model. The policy direction was in line with the Salamanca Statement of Principles, Policy and Practice in Special Needs Education that was agreed by representatives of 92 governments and 25 international organisations in June 1994 (UNESCO, 1994). The aim was to “adopt as a matter of law or policy the principle of inclusive education, enrolling all children in regular schools, unless there are compelling reasons for doing otherwise” (Clause 3, Principle 3). As did New Zealand’s 1989 Act and its expression in *Special Education 2000*, this document paved the way for some potential confusion about what inclusion might mean in practice.

The road to inclusion has not been easy, and uneasiness has prevailed about what special needs education policies are and how the inclusion model might be developed in the interests of providers and receivers of the services. Concerns from schools and teachers have focused on ensuring that resources were in place before all parties found themselves in a situation that was vulnerable to failure. Subsequent events suggest that some of these concerns were well grounded. Within ten years of the passing of the Education Act, special education was being viewed as a site of struggle (Ballard and MacDonald, 1998; Davies and Prangnell, 1999) or, as Mitchell (1999) calls it, a battleground for vigorous debate.

In 1989, Gillian Fulcher noted an emerging fifth discourse that rested on the notion of managing disability. The language of management permeated New Zealand's education reforms, but had already been a feature of policy reform across other areas of the social service sector since the election of a Labour Government in 1984. Alongside the need to address the concerns being expressed in the social movements of the time, was an equally urgent imperative to deal with the fiscal crisis facing the state. With the welfarist policies of the post-war era no longer sustainable, a new system of managing public finances was initiated and the disability sector was not immune to its implications.

Neoliberal governance and the managerial discourse

It is now 30 years since the fourth Labour Government began its rigorously imposed management of the public service sector. The privatisation agenda that proceeded with speed and tenacity stunned many Labour caucus members and completely by-passed most New Zealanders. Yet it was driven by a few Labour insiders and other economic advisers to implement market reforms uncharacteristic of a left-wing government and became known as the new right (Dale and Ozga, 1993). The New Public Management model signalled a radical restructuring of the Keynesian national welfare state, the governance of which was mainly achieved through top-down planning of the state's nation-building agenda and a strongly interventionist approach (Robertson and Dale, 2002). Commonly seen to be characterised by the rolling back of its role (Kelsey, 1993), the neoliberal state had ostensibly taken a reduced role in social and economic life, through systematically devolving aspects of its governance activity to the local level. The educational reforms were characterised by minimalist public intervention, government agencies contracting services and a shift to service delivery models that saw outcomes and targets as measurable (Mitchell, 2000).

Following the disbanding of the Department of Education's Psychological Services, the Special Education Service, structurally re-organised on the principles of *Tomorrow's Schools* (Department of Education, 1988) to function as a state agent, employed most educational psychologists in New Zealand. At that time 80 per cent of the money was centrally funded (via a funding grant from the newly established Ministry of Education to the Special Education Service) with the remaining 20 per cent to be contracted by schools. Within this decentralised and self-management framework tensions mounted for schools, parents and students with special needs when there was a need to compete for resources, the funding of which became contestable from a limited government allocation.

Public concerns that emanated as a result of funding constraints for Special Education attracted much professional commentary. Codd (2000) questioned whether the needs of the students were being compromised to meet the greater need for performance accountability within the self-managing philosophy of *Special Education 2000*. In the same year, a review of Special Education highlighted the need for a more seamless, accessible and integrated service to address issues of "fragmentation, gaps in accountability, and inequalities of resourcing and opportunity for students with special needs" (Wylie, 2000, p. 7). The Ministry of Education response to this report was to transfer the stand-alone agency Special Education Service to a new body known as Group Special Education which, in 2003, was reabsorbed within the entirety of the Ministry of Education.

Tensions and contradictions

Since its inception in 1989, New Zealand's commitment to inclusive education has been maintained in policy rhetoric. The Ministry of Education's *Statement of Intent 2007-2012* (Ministry of Education, 2007a) proclaimed its commitment to the New Zealand Disability Strategy and policies regarding the inclusive education models that informed the Ministry of Education's (1989a, b) *National Education Guidelines* and *National Administration Guidelines*. This commitment has been further expressed in the country's most recent curriculum document as being "non-sexist, non-racist, and non-discriminatory", and seeking to ensure that "students' identities, languages, abilities, and talents are recognised and affirmed" and that their "learning needs are addressed" (Ministry of Education, 2007b, p. 9).

The problems in realising inclusive education continue, however, and are to a large extent, problems of uncertainty about what this term really means. This concern has been taken up in both national and international literature (e.g. Allan, 2006; Ballard, 2007; Booth and Ainscow, 2011; Hornby, 2012; Slee, 2006). According to Allan (2006) and Slee (2006), inclusion and inclusive education are contestable concepts that have been framed in different ways across historical and geographical contexts. There is widespread agreement that inclusion as a policy objective in an inclusive education system is a positive step toward meeting the rights of students with special education needs and disabilities. However, this is counterbalanced with an equally generalised concern that, in the current policy context, "the Janus-faced nature of a rights-based policy is both poorly understood and inadequately addressed" (Selvaraj, 2015, p. 88). Commentaries about New Zealand's attempts to institutionalise this major paradigm shift under the neoliberal policy agenda suggest that difficulties in interpretation have been exacerbated by funding and policy mechanisms that create barriers for implementing the policy in practice (Mitchell, 2008, 2010). Despite the significance of the ethical and moral commitment involved in educating all children within inclusive settings, legal constraints (Slee and Cook, 1999), managerial policies (Wills, 2006) and other systemic prejudices (Wills and McLean, 2008) have created structural and ideological tensions to realising such objectives.

For Hornby (2012) the acceptance in current policy of a small percentage of children with special educational needs or with disabilities being educated in special schools suggests that a policy of inclusive special education that would include all students into a mainstream school setting would be more appropriate. Such a compromise has been strongly resisted by many parents and other sectors of society. In addition, the most recent initiative of the Ministry of Education, in collaboration with the New Zealand Council of Educational Research, has been to conduct inclusive practices surveys from which to develop inclusive practice tools, the latter of which were released in 2013. This new initiative, purporting to be the answer to inclusion, has been designed to "explore inclusive practices from the perspective of all learners, whilst drawing on common experiences and barriers to learning experienced by students with special education needs"[4]. Yet, mentioned within the practice of inclusion, is that all learners with special education needs and disabilities will learn within an inclusive setting. The continued talk of special education needs remains troublesome in such a framework.

While it is assumed that most educationists have a broad understanding of Special Education concepts and practices in relation to inclusion within an inclusive education setting (Hornby, 2012), in New Zealand there is little research about how the theoretical frameworks are interpreted and practiced within an educator's belief and their

associated management, teaching and classroom practices[5]. How inclusion might be put into practice within the managerial policy framework was fraught with further tensions as the Ministry of Education itself continued to provide a Special Education service. The Salamanca agreement was supposed to create a radical response to exclusion, however, when you create a new policy that is still grounded in separatism by having a Special Education sector, the root of the problem remains unchallenged. For Slee (2007, p. 177) the term inclusion appears to have lost its critical edge as a radical response to traditional exclusionary policy and practice and has not been equally matched in terms of inclusive practices. It has been argued that attitudinal change is required – inclusive education needs to be central to the overall school performance rather than focused on individuals who have deficits (Dyson *et al.*, 2004). As Loreman *et al.* (2005, p. 11) explain “the best thing about inclusion is that when it is done well, everyone wins”.

Conclusion

Over recent years, educators in New Zealand have been grappling with understandings of what inclusion and inclusive education mean within the domain of Special Education and how students would best receive support within an inclusive school setting. To gain a more comprehensive understanding of ways in which our current practices are embedded in the past, this paper has traced the discursive shifts in the development of institutionalised Special Education in New Zealand and the contexts within which they became dominant. This has identified the contradictions implicit in the nation’s more recent legislative attempts to interrupt its long history of exclusionary forms of special education within a dominant neoliberal managerial policy environment. It has been suggested that the resilience of the ideological underpinnings of traditional forms of exclusion has created difficulties relating to how the rights of students within the principles of inclusive education might be recognised and incorporated into practice under the fiscal and ideological constraints within such a policy framework. Issues relating to interpretation of policy into practice have therefore generated ongoing uncertainty, confusion and public debate.

It has been demonstrated that changes in Special Education were discursively constructed as making possible more local decision making about resource allocation and construction of appropriate support structures for all students. At the same time, as part of wider policy shifts, they encompassed the separation of policy from implementation, more regulation, a reduction of state monopoly and associated shifting of responsibility to local control. A reduction of state monopoly does not, however, signal a reduction of state control. By co-opting non-state actors to take on vital tasks and responsibility for their successful outcomes, and maintaining a monopoly on regulatory activities, a smaller but nonetheless stronger state has retained control over the governance of Special Education. This has had significant implications for Special Education in meeting the stated objectives of parental empowerment and partnership with services providers and in endeavouring to develop a universal understanding of inclusive education and its implementation.

Notes

1. The Convention on the Rights of Persons with Disabilities was drafted in December 2001, adopted by the United Nations General Assembly in December 2006, and following ratification, became operational in May 2008. New Zealand’s Ministry of Social Development is responsible for the ongoing re/development of the Disability Strategy.

2. Annual Education Reports as presented in the New Zealand Parliament (1893).
3. Public Law 94.142 No. 29, 1975: 89 STAT, pp. 773-796, and now referred to as the Individuals with Disabilities Education Act.
4. For a discussion of the development and content of the Inclusive Practices Toolkit, see New Zealand Council for Educational Research and Ministry of Education (2013).
5. For a recent publication which seeks to address this limitation, see Wills *et al.* (2014).

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