

Legislation and Adjustments for Persons with Disabilities in Southern Senatorial District in Cross River State, Nigeria

¹Nanjwan Josephine Dasel and ²David Bassey Enya

¹Department of Vocational and Special Education,

²Department of Educational Foundations Guidance and Counselling,
Faculty of Education, University of Calabar, Calabar, Nigeria

Abstract: The main purpose of this study is to legislation and adjustments for persons with disabilities in Southern Senatorial District in Cross River State, Nigeria. To achieve the purpose of this study, three hypotheses were formulated. Survey research design was adopted for the study. A sample of two hundred persons with disabilities was randomly selected for the study. The selection was done through the simple random sampling technique. The reliability estimate of the instrument was established through the test-retest reliability method Pearson product correlation analysis and independent t-test were employed were adopted to test the hypotheses at 0.05 level of significance. The result of the analysis reveals that that legislation significantly relates with social and economic adjustment of persons with disabilities. The result also revealed that there is a significant gender difference in the legislation of persons with disabilities.

Key words: Cross River State, reliability method, social adjustment, economic adjustment, disabilities

INTRODUCTION

Meeting the challenges of today's world and developing strengths to cope with future challenges require knowledge of the adjustment process. Adjustment is the psychological process of adapting to coping with and managing the problems, challenges and demands of everyday life. Legislation according to Oxford Dictionary of Current English, third edition, Law is a system of rules and guidelines which are enforced through social institutions to govern behavior.

Laws are made by governments, specifically by their legislatures. The formation of laws themselves may be influenced by a constitution (written or unwritten) and the rights encoded there in. The laws shapes politics, economics and society in many ways and serves as social mediator or relations between people.

By better understanding the nature of adjustment, researchers can reduce conflict and meet the challenges that lie ahead by seeking answers to questions like these: How can we cope with the increased overload of information that we have to digest each day? How can people from different ethnic and cultural backgrounds get along better with each other? How can women and men successfully adapt to the changing gender roles they are experiencing? What role do exercise and nutrition play in physical and mental health?

The law is generally divided into two main areas: criminal and civil laws. Criminal laws deal with conduct that is considered harmful to social order and in which the guilty person may be imprisoned or fined. Civil laws deal with the resolution of lawsuit (disputes) between individual or organizations. These resolutions seek to provide a legal remedy (often monetary damages) to winning litigant (individual or organization).

Several laws passed between 1970s and 1990s have had an impact on the lives of individual with disabilities in the united states (Lewis and Doorlag, 1999). According to the FRN (2004), the National Policy on Education, spelt out rights guaranteed to person with disabilities. Goals and benefits of special education cannot be adequately achieved without proper legislation that guides the rights of persons with disabilities in Nigeria. Ozoji (2003) summarizes national policy on education goals of special education in three ways such as: to equalize educational opportunities for all children, provide adequate education for all handicapped children and to provide opportunities for exceptionally gifted.

In the foreign countries, the right of Persons With Disabilities (PWDs) is protected by special legislation. The Judicial mechanisms for protecting the right of persons with disabilities include due process (legal remedy through courts) and procedures by a special agencies dealing with anti-dissemination issues on civil right legislation.

The general legislation applies to persons with different types of disability in Nigeria with respect to education, employment, right to marriage, right to parenthood, family, political rights and access to court of law, right to privacy and property rights (Antonak and Livneh, 1995). The benefits of law to persons with disabilities also includes: health care services, education, vocational training, employment, independent living and participation in decisions making.

Legislations are legal provisions mandating for persons with disabilities to participate in the following ways: policy-making, work in environmental institutions, advocate for improving services, mobilize persons with disabilities, identify needs and priorities of participating in the planning measures concerning the lives of persons with disabilities, contributes to public awareness, implementation and evaluation of services that promote organized activities for healthy daily living.

Types of legislation available in Nigerian constitution

Civil right legislation: Lewis and Doorlag (1999) explained the section 504 of the vocational rehabilitation act of 1973 that applies to people of all ages known as civil right act for persons with disabilities. It provides that: no qualified handicapped individual in the United States shall by any reason of his handicapped be excluded from participating in any activity and denied or subjected to discriminate under any programme or activity receiving federal financial assistance.

The section 504 forbids discrimination in the area of employment, admission and provision of health, welfare and other social services. It also entitles school aged children with disabilities to have free and appropriate public education.

Legislation related to education: The public law, section 94-142, the education for all handicapped children act of 1975 concerns the guarantee of appropriate educational services to all school aged students with disability. It also required that disabled students should be educated together with their peers.

Public law, section 105-175, the individual with disability act amended 1997 introduces several modifications which includes good services to youngsters in the area of early intervention effective participation, expanding of Individualized Educational Programme (IEP) terms, revising the its requirements and provision for effective management (Turnbull *et al.*, 2006). Public law, section 101-336, the American with Disability Act (ADA) of 1990 provides a clear and comprehensive national mandate for the elimination of discrimination in

employment and accommodation of public utilities in the area of transportation and communication against individual with disabilities.

Nigeria is a nation that practices constitutional laws (written constitution) which provides a framework for creation of law, the protecting of human rights and the election of political representatives. The body of the Nigerian constitution was put together through conventions, resolutions from disputes and existing common laws while new laws are made through the resolutions of the National Assembly (the legislators) before a proposed bill becomes a law (Dodds *et al.*, 1994). The Nigerian constitution only made broad provisions for fundamental human rights with one provision which explicitly captioned the rights for Persons With Disabilities (PWDs) in Nigeria. No citizen of Nigeria shall be subjected because of any sort disability or should not be deprive merely for the reason of circumstances of his condition.

Benefits of legislation for person with disabilities: Some of the benefits of the provisions made in the Nigerian constitution as captioned in section IV of fundamental human rights for the protection of Persons With Disabilities (PWDs) can be illustrated as follows:

- Nigerian constitution promotes full integration of person with disability into the society on equal basis with others who are not disabled
- Exclusion or any form of discrimination or restriction on the basis of disability which impairs their recognition, enjoyment or exercise on an equal basis with others is not tolerated by the government. All human rights and fundamental freedom in political, economic, social, cultural, civil or any other field should not be looked down upon
- Provide them a platform to join or take up membership of recognized associations, peaceful assembly as written in the constitution
- Rights to seek for the enforcement of their right according to the provisions of the constitution including monetary compensation
- Rights to also air their views and make choices on how they should be govern
- Provisions that enables them to live independently and participate fully in all aspects of life such as access to physical environment, transportation, information and communications technologies. Other facilities and services should be provided to the public for the benefit of the disabled both in urban and in rural areas

MATERIALS AND METHODS

This study was essentially a survey research design. The target population involved in this study consisted of all persons with disabilities in Southern Senatorial District in Cross River State. A simple random sampling technique was adopted. The research instrument which was the questionnaire, comprised twenty items, all of the Likert-type 4-point scale (Strongly Agree: 4 points, Agree: 3 points, Disagree: 2 points and Strongly Disagree: 1 point). The respondents were required to indicate their level of agreement for each statement.

In terms of validity, three experts in educational measurement and evaluation and psychology, affirmed, with 94% agreement that the entire instrument was suitable for measuring what it purported to measure. Using the test-retest reliability method, the reliability index of the instrument was found to be 0.94. Data were collected through the use of questionnaire from the sampled institutions used for the study, through the use of the questionnaire from the sampled institution used for the study. Through a very rigorous approach and with the assistance of some persons mainly to whom the researcher is very grateful, all the 200 copies of the questionnaire were retrieved and they were all properly completed thus giving 100% return rate. The following hypotheses were tested in the study:

- There is no significant relationship between legislation and social adjustment of persons with disabilities
- There is no significant relationship between legislation and economic adjustment of persons with disabilities
- There is no significant gender difference in the legislation of persons with disabilities

RESULTS

Hypothesis one: There is no significant relationship between legislation and social adjustment of persons with disabilities.

The independent variables involve in this hypothesis is legislation while the dependent variable is social adjustment of persons with disabilities. Pearson product correlation analysis was employed to test this hypothesis. The result of the analysis is presented in Table 1.

The result in Table 1 reveals that the calculated r-value of 0.57 is higher than the critical r-value of 0.138 at 0.05 level of significance with 198 degrees of freedom. With this result the null hypothesis was rejected. This result therefore means that there is a significant relationship between legislation and social adjustment of persons with disabilities.

Table 1: Pearson product moment correlation analysis of the relationship between legislation and social adjustment of persons with disabilities (n = 200)

Variables	$\Sigma x, \Sigma y$	$\Sigma x^2, \Sigma y^2$	Σxy	r-value
Social adjustment	3218	6297	74713	0.57*
Legislation	3092	5463	-	-

Table 2: Pearson product moment correlation analysis of the relationship between legislation and economic adjustment of persons with disabilities (N = 200)

Variables	$\Sigma x, \Sigma y$	$\Sigma x^2, \Sigma y^2$	Σxy	r-value
Economic adjustment	3376	6375	73926	0.47*
Legislation	3092	5463	-	-

*Significant at 0.05 level, critical r = 0.138, df = 198

Table 3: Independent t-test analysis of gender differences in the legislation of persons with disabilities (N = 200)

Gender differences	N	\bar{x}	SD	t-value
Male	120	18.84	1.62	4.142*
Female	80	16.29	2.14	-

*Significant at 0.05, critical t-value = 1.96, df = 198

Hypothesis two: There is no significant relationship between legislation and economic adjustment of persons with disabilities.

The independent variables involve in this hypothesis is legislation while the dependent variable is economic adjustment. Pearson product correlation analysis was employed to test this hypothesis. The result of the analysis is presented in Table 2.

The result in Table 2 reveals that the calculated r-value of 0.47 is higher than the critical r-value of 0.138 at 0.05 level of significance with 198 degrees of freedom. With this result, the null hypothesis was rejected. This result therefore means that there is no significant relationship between legislation and economic adjustment of persons with disabilities.

Hypothesis three: There is no significant gender difference in the legislation of persons with disabilities. The independent variable in this hypothesis is gender (male and female) while the dependent variable is legislation. To test this hypothesis, males' and females' legislation differences of persons with disabilities were compared using Independent t-test analysis. The result of the analysis is presented in Table 3.

The result of the analysis as presented in Table 3 reveals that the calculated t-value of 4.142 is higher than the critical t-value of 1.96 at 0.05 level of significance with 198 degrees of freedom. With this result, the null hypothesis that there is no significant gender difference in the legislation of persons with disabilities was rejected. This result indicates that there is a significant gender difference in the legislation of persons with disabilities.

DISCUSSION

The result of the study revealed that legislation significantly relate with social and economic adjustment of persons with disabilities. The result also revealed that there is a significant gender difference in the legislation of persons with disabilities. The finding is in line with view of FRN (2004), the National Policy on Education that spelt out rights guaranteed to person with disabilities. Goals and benefits of special education can not be adequately achieved without proper legislation that guides the rights of persons with disabilities in Nigeria. Ozoji (2003) also summarized the National Policy on Education goals of special education in three ways such as: to equalize educational opportunities for all children, provide adequate education for all handicapped children and to provide opportunities for exceptionally gifted.

Antonak and Livneh (1995) also stated that the general legislation applies to persons with different types of disability in Nigeria with respect to education, employment, right to marriage, right to parenthood, family, political rights, access to court of law, right to privacy and property rights. The benefits of law to persons with disabilities also includes: health care services, education, vocational training, employment, independent living and participation in decisions making.

Lewis and Doorlag (1999) also explained the section 504 of the Vocational Rehabilitation Act of 1973 that applies to people of all ages known as civil right act for persons with disabilities. It provides that no qualified handicapped individual in the United States shall by any reason of his handicapped be excluded from participating in any activity and denied or subjected to discriminated under any programme or activity receiving federal financial assistance. The section 504 forbids discrimination in the area of employment, admission and provision of health, welfare and other social services. It also entitles school aged children with disabilities to have free and appropriate public education.

CONCLUSION

The basis of legislation for person with disabilities has been justified in this study. The justification was about equality of opportunities and protection given to anyone in the society.

Every society is guided on the principle of acknowledging the existence of the other persons and their liberty to have access to basic things of life like food, shelter and clothing. Cartwright observed that

opportunities for person with disabilities has not been considered as it was spelt out in the national policy on education.

Deprivation of such privileges always cause drop out from school, breakdown of public peace including hatred for the other person. Every society need a form of control through established rules, in order to prevent abuses, disregard and disenfranchisement of rights and privileges of the human persons, irrespective of social classification.

Elimination of any form of dissemination against the worth and dignity of Persons With Disabilities (PWDs) are issues that need to be promoted in Nigeria and efforts should be made to ensure the recognition of PWDs as active members of the society who should be treated with utmost fairness in all sphere of human endeavor (Loiusville, 1987). They should be given equal right and opportunities as long there are established facts that they can perform the same duties as those without disabilities most, especially in governance of the societies in which they live in.

RECOMMENDATIONS

Legislation for promotion of welfare for persons with disabilities can be more formidable and effective if Federal Government can intervene through respective agencies like the Ministry of Information and National Orientation Agency should create awareness campaign to educate the public on issues relating to disabilities and persons living with disabilities. Provisions of the constitution and other acts for the protection of the rights of persons with disabilities and possible consequences of any acts of discrimination against them should be considered (Antonak and Livneh, 1995).

Implementation of the provisions of various conventions across the world should be incorporated into the Nigerian constitution. The fundamental human rights of the United Nations seeks to recognized the inalienable rights of all members of the human family to be entitle to freedom, justice treatment for peaceful living.

Another suggestion by Hooper and Umansk (2004), is to integrate disabled people in the formulation of programmes and policies. This will help to carter for their needs, guarantee them access to public life utilities and treatment equality, freedom of how they want to be govern. This will better enhance the capacity of government to enforce civil rights. This can be actualized by setting a committee to oversee the affairs of disable people and make them stakeholders in the committee so that their perceptions and problems can be properly documented.

REFERENCES

- Antonak, R.F. and H. Livneh, 1995. Psychosocial adaptation to disability and its investigation among persons with multiple sclerosis. *Soc. Sci. Med.*, 40: 1099-1108.
- Dodds, A.G., E. Ferguson, L. Nik, H. Flannigan, G. Hawes and L. Yates, 1994. The concept of adjustment: A structural model. *J. Visual Impairment Blindness*, 8: 487-497.
- FRN, 2004. National policy on education. Nigerian Educational Research Development Council, Yaba-Lagos, Federal Republic of Nigeria.
- Hooper, S.R. and W. Umansk, 2004. *Young Children with Special Needs*. 4th Edn., Person Merrill Prentice Hall, Columbus Ohio.
- Lewis, R.B. and D.H. Doorlag, 1999. *Teaching Special Students in General Education Classrooms*. 5th Edn., Prentice Hall, Ohio Columbus.
- Loiusville, K.Y., 1987. Registration of eligible students. Research Report: American Printing House for the Blind, Federal Quota, USA, January, 1987.
- Ozaji, E.D., 2003. *Special Education for non-Professional*. 2nd Edn., Jos: Deka Enterprises, Nigeria.
- Turnbull, R., N. Huerta and M. Stowe, 2006. *The Individual With Disabilities Act (IDEA) As Amended in 2004*. Merrill Prentice Hall, USA.