



BYLAE

Opsomming

Summary

Bibliografie: Boeke, proefskrifte, verhandelinge en proefskrifte

Bibliografie: Joernale, tydskrifartikels, en hoofstukke in boeke

Register: Kongresse, verslae en resolusies

Register: Regspraak

Register: Wetgewing

Register: Internasionale ooreenkomste en ander instrument

Register: Webwerwe

Ander

OPSOMMING

**Gestremdheidsreg:
'n Internasionaalregtelike en regsvergelykende analise**

deur

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Graad: LLD

Die proefskrif ondersoek die beskouingsverandering en voortspruitende juridiese hantering van persone met gestremdhede in die rigting van 'n toenemend inklusiewe en geïntegreerde openbare regsorde wat die beskerming en bevordering van die regte en belange van persone met gestremdhede op gelyke grondslag met alle ander persone bewerkstellig.

Gestremdheid word aan die hand van twee uiteenlopende modelle beoordeel en hanteer. Die twee modelle - die mediese en die sosiale model van gestremdheid - verteenwoordig twee uiteenlopende opvattinge oor gestremdheid wat in duidelik onderskeibare regsbenaderings neerslag vind. Oor die afgelope

nagenoeg dertig jaar het die sosiale model beduidend veld teen die mediese model gewen. Dit het veral neerslag gevind in die internasionale reg, soos dit die afgelope dekades onder die aanvoering van die Verenigde Nasies in omvattende standaardisering en universalisering van menseregte ontwikkel het. Hierdie ontwikkelings word breedvoerig in hierdie proefskrif ondersoek. Die groeiende aanklank van die sosiale model ten koste van die mediese model is eweneens merkbaar in twee ander jurisdiksiegebiede, wat in hierdie werk ondersoek word naamlik Europa – binne die konteks van sowel die Europese Raad as die Europese Unie - en die Verenigde State van Amerika. In albei hierdie jurisdiksiegebiede weerspieël die ontplooiing van die positiewe reg 'n verandering in die beskouing oor die regshantering. Daarvolgens word gestremdheid toenemend volgens die sosiale model as 'n vorm van diversiteit eerder as uitsluitlik in terme van die mediese model verstaan. Gestremdheid vereis gevolglik 'n besondere regsbedeling ten einde daadwerklike gelyke beregtiging vir persone met gestremdhede te verseker eerder as (net) mediese ingryping as 'n "afwykende toestand" of 'n "siektetoestand." In hierdie studie word die veranderde regsbedeling oor gestremdheid deurlopend deur die prisma van die twee modelle beskryf en beoordeel.

Ten aanvang van die studie word die betekenis van die mediese en die sosiale modelle uitgeklaar. Daarna volg 'n bondige historiese oorsig, waarin oorheersende samelewingsbeskouings oor gestremdheid bespreek word. Dié historiese oorsig skets inderwaarheid die agtergrond waarteen die ontwikkeling in die hantering van persone met gestremdhede op die gebied van die reg beoordeel word. Sedert die Tweede Wêreldoorlog het 'n beduidende beskouingsverandering oor gestremdheid ingetree en ook in die positiewe reg

neerslag gevind. Dit word aan die hand van die vooraf-bespreekte modelle toegelig. Dit word gedoen deur die positiewe reg in sake gestremdheid in vier regsordes te bespreek: Eerstens, die ontplooiing van die internasionale reg oor gestremdheid, aan die hand van die werksaamhede van die Verenigde Nasies; tweedens, die ontwikkelings in Europa; derdens ontplooiing in die Verenigde State van Amerika. In die proses word die invloed wat die regsbedelings van die VSA, Europa en die internasionale reg op mekaar ook deurlopend toegelig.

Uiteindelik - vierdens - verskuif die fokus ook na 'n bespreking van die onlangse ontwikkelings oor die gestremdheidsreg in Suid-Afrika, kragtens die Handves van Regte binne die Suid-Afrikaanse grondwetlike bestel en onder die invloed van die internasionale reg.

Die studie sluit af met gevolgtrekkings. Daarin val die klem op 'n beoordeling van die verandering van die reg rakende gestremdheid in die lig van modelle wat in die eerste hoofstuk toegelig is.

Sleutelbegrippe: gestremdheidsreg; mediese model van gestremdheid; sosiale model van gestremdheid; maatskaplike welsynsbenadering; burgerregte-benadering; institusionele uitsluiting; Standaardreëls oor Gelyke Geleenthede vir Persone met Gestremdhede van 1993; VN-Konvensie oor die Regte van Persone met Gestremdhede; Konvensie oor Menseregte en Individuele Vryhede; die Europese Sosiale Handves; Verdrag van Amsterdam; Europese Raamwerkdirektief oor Diskriminasie by Indiensneming.

SUMMARY

**Disability Law:
An international law and legal comparative analysis**

by

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This thesis investigates a perceptual change in and resultant new approach with regard to the juridical management of persons with disabilities aimed at a more inclusive and integrated public legal order with a view to the protection and promotion of the rights and interests of persons with disabilities on an equal footing with those of other persons.

Disability is dealt with and evaluated with reference to two opposing models. These models of disability – the medical and the social – represent two different notions about disability that find application in clearly distinguishable legal approaches. For about the past thirty years, the social model has gained considerable ground on the medical model. In international law in particular the social model has found application in the comprehensive standardisation and

universal acceptance of human rights, as developed over the past decades under the leadership of the United Nations. These developments are investigated in detail in this thesis. The growing acceptance of the social model as against the medical model is apparent in two other jurisdictions investigated in this work, namely Europe – within the context of the European Council and the European Union – and the United States of America. In both of these jurisdictions the changing views as to how the law should respond in order to meet changing demands regarding disability are reflected in the development of positive law. In terms of these divergent views disability is increasingly regarded, as a form of diversity, in accordance with the social model, in contrast with an exclusive medical model. Disability therefore requires a unique legal dispensation in order to ensure genuine equal treatment for persons with disabilities rather than a (mere) medical intervention in “deviate condition” or an “illness”. In this study the divergent legal dispensation regarding disability is continuously described and evaluated through the prism of these two models.

The study commences with an exposition of the meaning of the medical and social models. This is followed by a brief historical overview in which prevalent views on disability are discussed. This historical overview actually outlines the background against which the legal evolution on the management of persons with disabilities is judged. Since the Second World War a significant change in attitude towards disability has taken place and this also reflected in the positive law. This change is explored by way of the aforementioned models by discussing the positive law regarding disability in four legal jurisdictions: First, the evolution of international law regarding disability by way of the activities of the United Nations; second, the developments in Europe; third, the evolution in

the United States of America. In this process the mutual influence of the legal dispensations of the USA, Europe and international law is highlighted consistently.

Fourth, the focus shifts to a discussion of recent developments regarding disability law in South Africa in the light of the South African Bill of Rights and the influence of international law.

The study ends with conclusions in which the emphasis falls on an evaluation of the changes in the law on disability in light of the models that were expounded in the first chapter.

Keywords: disability law; medical model of disability; social model of disability; social welfare approach; rights-based approach; institutional exclusion; Standard Rules on the Equalization of Opportunities for Persons with Disabilities; Convention on the Rights of Persons with Disabilities; European Convention on Human Rights; European Social Charter; Treaty of Amsterdam; European Framework Employment Directive

BIBLIOGRAFIE

BOEKE, PROEFSKRIFTE, VERHANDELINGE EN PROEFSKRIFTE

Albrecht G, Seelman KD en Bury M *Handbook of Disability Studies* (2001) Thousand Oaks, California: Sage Publications

Alston P, Bastelo M en Heenan J *The EU en Human Rights* (1999) Oxford: Oxford Press

Arnardóttir OM en Quinn G *The UN Convention on the Rights of Persons with Disabilities – European and Scandinavian Perspective* (2009) The Hague: Nijhoff

Axinn J en Levin H *Social Welfare: A History of the American Response to Need* (1982) New York: Longman

Barker E *The Political Thought of Plato and Aristotle* (1959) New York: Russell en Russell

Barton L (red) *Disability and society: emerging issues and insights* (1996) London: Longman

Bekink B *Principles of South African Constitutional law* unpublished notes (to be published by LNB 2011)

Bengt Nirje, *The basis and logic of the normalisation principle*, Sixth International Congress of IASSMD, Toronto, 1982

Berkson G *Children with Handicaps: A Review of Behavioral Research* (1993) Hillsdale New Jersey: Lawrence Erlbaum Associates

Binding K en Hoche A *Die freigabe der vernichtung lebensunwerten lebens: Ihr mass und ihre form* (1920) Leipzig: Felix Meiner

Black K *Healing Homiletic: Preaching and Disability* (1996) Nashville TN: Abingdon

Brown TJ *Dorothea Dix: New England Reformer* (1998) Cambridge MA: Harvard University Press

Boulesbaa A *The U.N. Convention on Torture and the Prospects for Enforcement* (1999) Martinus Nijhoff Publishers

Chaskalson et al *Constitutional law of South Africa* (2de uitgawe, Oorspronklike 12-03) (2003) Lansdowne, South Africa: Juta

Clements L en Read J *Disabled people and European human rights: a Review of the implications of the Human Rights Act 1998 for disabled children and adults in the United Kingdom* (2003) Bristol: The Policy Press

Coleman J L en Sebok A *Constitutional Law and its Interpretation* 1994, New York en London: Garland Publishing, Inc.

Currie I en de Waal J *The Bill of Rights Handbook* (2005) Lansdowne, South Africa: Juta

Daniels M *Benedictine Roots in the Development of Deaf Education: Listening with the Heart* (1997) Westport CT: Bergin en Garvey

Davis L *The Disability Studies Reader* (1997) New York: Routledge

De Búrca G, De Witte B en Ogertschnig L *The Protection of Social Rights in Europe : Changes en Challenges* (2005) Oxford: Oxford Press

Degener T en Koster-Dreese Y *Human Rights and Disabled Persons: Essays and Relevant Human Rights Instruments* (1995) Dordrecht: Martinus Nijhoff

Digesta Iustiniani 27 10 2, 27 10 8

Dix D *Memorial: To the Legislature of Massachusetts* (1843) Boston: Munroe en Francis

Donnelly J *International Human Rights* (1998) Boulder: Westview Press

Dupper O et al *Essential Discrimination Law* (2004) Philadelphia: WB Saunders Company

Dugard J *International Law A South African Perspective* (2005) 3de uitgawe: Juta

Ezejiofor G *Protection of Human Rights Under the Law* (1964) London: Butterworths

Flynn RJ en Nitsch KE (reds) *Normalization, social integration and human services* (1980) Baltimore: University Park Press

Foucault M *Madness and Civilization* translated by Richard Howard (1965) New York: Random House

Friedlander H *The origins of Nazi genocide: From Euthanasia to the Final Solution* (1995) Chapel Hill: University of North Carolina Press

Garland R *The Eye of the Beholder: Deformity and Disability in the Graeco-Roman World* (1995) Ithaca, New York: Cornell University Press

Grogan J *Workplace Law* (2005) Landsdowne, South Africa: Juta

Horden P en Smith R *The Locus of Care: Families, Communities, Institutions, and the Provision of Welfare since Antiquity* (1998) Londen: Routledge Kegan Paul

Howe SG *Report Made to the Legislature of Massachusetts upon Idiocy* (1848) Boston: Coolidge

Howell C en Chalklen S *Disability – Our Voices, Our Rights: The history of Disabled People in South Africa and the struggles of the disability rights movement in South Africa (1980–2001)* (2003)

Jones M en Marks LA *Disability, Divers-ability and Legal Change* (1999) Martinus Nijhoff Publishers

Kennedy JF “Statement by the President Regarding the Need for a National Plan in Mental Retardation” *National Action to Combat Mental Retardation* (1961), onder redaksie van die President se paneel met betrekking tot Geestesgestremdhede. Washington, DC: Government Printing Office

Kirkbride T *On the Construction, Organization, and General Arrangements of Hospitals for the Insane* herdruk (1973) New York: Arno

Kramer H en Sprenger J (1486) *Malleus Maleficarum* verhandeling

Lawson A en Gooding C (reds) *Disability Rights in Europe* (2005) Oxford and Portland Oregon: Hart Publishing

Lawson A (red) *Disability Rights in Europe from theory to practice* (2005) Oxford and Portland Oregon: Hart Publishing

Lewis M en Rosenblum LE *Children with Handicaps: A Review of Behavioral Research* (1993) New York: John Wiley

Lifton RJ *The Nazi doctors: medical killing and the psychology of genocide* (1986) New York: Basic Books

Locke J *An Essay Concerning Human Understanding* (1690) herdruk onder redaksie van Nidditch (1975) Oxford: Clarendon Press

Martin F *Artificial Limbs: Appliances for the Disabled Studies and Reports, Series E (Disabled Men), No. 5* (1924) Liège Belgium: Georges Thone

Marx W *Introduction to Aristotle's theory of being as being* (1977) The Hague: Nijhoff

McCabe AE *A Byzantine encyclopaedia horse medicine: the sources, compilation and transmission of the Hippitrica* (2007) Oxford, New York: Oxford University Press

Moreno J *Undue Risk: Secret State Experiments on Humans* (1999) New York: Freeman

Morton TG *The History of Pennsylvania Hospital 1751 – 1895* (1897) Philadelphia: Times Printing House

Nielsen LB en Nelso RL (reds) *Handbook of Employment Discrimination Research* (2005) Springer-Verlag New York LLC

Obermann CEA *History of Vocational Rehabilitation in America* (1968) Minneapolis MN: Dennison

Parry-Jones WL *The Trade in Lunacy: A Study of Private Madhouses in England in the Eighteenth and Nineteenth Centuries* (1972) London: Routledge

Perlin ML, Kanter AS, Treuthart MP, Szeli E en Gledhill K *International Human Rights and Comparative Mental Disability Law* (2006) Carolina Academic Press

Peterson D *A Mad People's History of Madness* (1982) Pittsburgh PA: University of Pittsburgh Press

Quinn G en Degener T *Human Rights and Disability: The current use and future potential of United Nations human rights instruments in the context of disability* (2000) New York: United Nations

Quinn G, McDonagh M en Kimber C (reds) *Disability Discrimination Law in the United States, Australia and Canada* (1993) Dublin: Oak Tree Press

Rautenbach IM en Malherbe EFJ *Staatreg 5de uitgawe* (2009) Hoofstuk 2 Durban : LexisNexis

Reilly PR *The Surgical Solution: A History of Involuntary Sterilization in the United States* (1991) Baltimore: Johns Hopkins University Press

Rothman DJ en Rothman SM *The Willowbrook Wars* (1984) New York: Harper en Row

Rothman DJ *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (1990) Boston: Little Brown

Russell M *Beyond Ramps – Disability at the end of the Social Contract* (1998) Monroe ME: Common Courage Press

Santas GX *Goodness and justice: Plato, Aristotle, and the moderns* (2001) Malden Mass: Blackwell Publishers

Saulle MR *Disabled Persons and International Organisations* (1982) Rome: International Documentation

Saunders WB *Dorland's pocket Medical Dictionary 24th edition* Philadelphia: WB Saunders Company

Scholl GT *Foundations of Education for Blind and Visually Handicapped Children and Youth: Theory and Practice* (1986) New York City: American Foundation for the Blind

Sequin E *New Facts and Remarks Concerning Idiocy, Being a Lecture before the New York Medical Journal Association, October 15, 1869* (1870) New York: William Wood

Shaman JM *Constitutional interpretation: illusion and reality* (2001) Westport CT: Greenwood Press

Smith WD *The Hippocratic tradition* (1979) 1930 – Ithaca, N.Y: Cornell University Press

Striker HA *History of Disability* vertaal deur Sayers W (1997) Ann Arbor: University of Michigan Press

Swinburne A *Brief Treatise of Testaments and Last Willes* (1950) London: John Windet

Tribe LH *American Constitutional Law* (1988) Mineola, New York: The Foundation Press, Inc

Trombley S *The Right to Reproduce: A History of Coercive Sterilization* (1988) London: Winfield and Nicolson

United Nations *From Exclusion to Equality – Realizing the rights of persons with disabilities: Handbook for Parliamentarians on the Convention on the Rights of Persons with Disabilities and its Optional Protocol* (2007) Geneva: United Nations

United Nations *International Classification of Impairments, disabilities, and Handicaps: A Manual of Classification Relating to the Consequences of Disease*, United Nations, Geneva (1980)

Van Dijk P en Van Hoof GJH (red) *Theory and Practice of the European Convention on Human Rights* (1998) The Hague: Kluwer Law International

Van Jaarsveld F en Van Eck S *Kompendium van Arbeidsreg* (2003) Durban: LexisNexis Butterworths

Van Warmelo P *An Introduction to the Principles of Roman Civil Law* (1976) Landsdowne, South Africa: Juta

Van Zyl DHP *Geskiedenis en Beginsels van die Romeinse Privaatreg* (1977) Durban: Butterworths

Watermeyer B, Swartz L, Lorenzo T, Schneider M en Priestly M (reds) *Disability and Social Change: A South African Agenda* (2006) Cape Town: HSRC Press

Wiechers M en Bredenkamp F *Die Staat Teorie en Praktijk* (1996) Hatfield Pretoria: JL van Schaik Akademies

Wiechers M *Verloren van Themaat Staatsreg* (1981) Durban: Butterworths

Winzer MA *The History of Special Education: From Isolation to Integration* (1993) Washington DC: Gallaudet University Press

Wolfensberger W *The principle of Normalization in human services* (1972) Toronto: National Institute on Mental Retardation

Wright D en Digby A *From Idiocy to Mental Deficiency: Historical Perspectives on People with Learning Disabilities* (1996) London: Routledge Kegan Paul

JOERNALE, TYDSKRIFARTIKELS EN HOOFSTUKKE IN BOEKE

Abberly P “The concept of oppression and the development of a social theory of disability” (1987) *Disability Handicap en Society* 15

Albertyn C en Goldblatt B “Facing the Challenge of Transformative Difficulties in the Development of an Indigenous Jurisprudence of Equality” 1998 *SAJHR* 248

Altman B “Disability Definitions, Models, Classification Schemes, and Applications” in *Handbook of Disability Studies* (2001) 97

Albrecht G *et al* “Introduction: The Formation of Disability Studies” in *Handbook of Disability Studies* (2001) 1

Andrews J “Begging the Question of Idiocy: The Definition and Socio-Cultural Meaning of Idiocy in Early Modern Britain: Part I” (1998) 9 *History of Psychiatry* 65

Areheart BA “When Disability Isn’t “Just Right: The Entrenchment of the Medical Model of Disability and the *Goldilocks* Dilemma” 2008 (83) *Indiana Law Journal* 1

Bagenstos SR “The Future of Disability Law” 2004 *The Yale Law Journal* 114:1

Barnes C “Disabling Imagery and the media: An Exploration of the Principles for Media Representation of disabled People” in Alston P (red)(1999) 282

Bartlett FL “Institutional Peonage: Our Exploitation of Mental Patients” 1964 *The Atlantic Monthly* 116

Bhabha F “Disability Equality Rights in South Africa: Concepts, Interpretation and the Transformation Imperative” 2009 25 (2) *South African Journal on Human Rights* 2 – om gepubliseer te word

Bickenbach JE “Disability Human Rights, Law, and Policy” in Albrecht, Seelman en Bury (reds) (2001) 567

Bickenbach JE “Minority or Universal Participation: The Politics of Disablement” in Jones M en Marks AB (reds) (1999) 101

Binding K en Hoch A "Permitting the destruction of unworthy life: its extent and form" (1992) 8 *Issues L en Med* 231

Birnbaum M "Some Comments on 'the Right to Treatment' " 1965 (13) *Archives of General Psychiatry* 33

Bockoven JS "Moral Treatment in American Psychiatry" 1956 *The Journal of Nervous and Mental Disease* 167

Bohler-Muller N "The Promise of Equality Courts" 2006 *SAJHR* 387

Braddock D en Parish S "Disability Human Rights, Law, and Policy" in Albrecht G, Seelman KD en Bury M (reds) (reds) (2001) 22.

Brand D "Die Wet op Bevordering van Gelykheid en die Voorkoming van Onbillike Diskriminasie" 2000 *Word and Action* 13

Bredberg E "Writing Disability History: Problems, Perspectives and Sources" 1999 *Disability en Society* 189

Burleigh M "Psychiatry, German Society, and the Nazi 'Euthanasia' Programme" (1994) 7 *Social History of Medicine* 213

Carpenter G "Equality and non-discrimination in the new South African constitutional order: the early cases (part 1)" 2001 *THRHR* 409

Carpenter G "Equality and non-discrimination in the new South African constitutional order: important trilogy of decisions (part 2)" 2001 *THRHR* 619

Carpenter G "Equality and non-discrimination in the new South African constitutional order: the sage continues (part 3)" 2002 *THRHR* 37

Carpenter G "Equality and non-discrimination in the new South African constitutional order: update (part 4)" 2002 *THRHR* 177

Carpenter G "The Equality Act in the Constitutional Court" "*MEC for Education: Kwa-Zulu-Natal v Pillay* 2008 2 *BCLR* 99 (CC)" 2008 *SA Publikereg* 200

Church A "Removal of Ovaries and Tubes in the Insane and Neurotic" (1893) 28
American Journal of Obstetrics and Diseases of Women and Children 491

Combrinck H "The Hidden Ones: Children with Disabilities in Africa and the
Right to Education" in Sloth- Nielsen J *Children's Rights in Africa: a Legal
Perspective* (2008) Hampshire: Ashgate Publishing Limited

Cook TM "The Americans with Disabilities Act: The Move to Integration" 1991
Temple Law Review 393

Degener T "Disability Discrimination Law: A Global Comparative Approach" in
Disability Rights in Europe (2005) 88

De Vos P "The Promotion of Equality and Prevention of Unfair Discrimination
Act and socio-economic rights" 2004 *Economic and Social Rights Review* 1

Despouy L Sentrum vir Menseregte en Gestremdes Spesiale Rapporteur van die
Sub-Kommissie van Voorkoming van Diskriminasie en Beskerming van
Minderhede 1993 *Human Rights Study Series* 6

Drieger D "COPOH's (Coalition of Provincial Organizations of the Handicapped)
International
Involvements" <<http://www.independentliving.org/docs1/dispeopleintldev3.html#anchor2601143>>(laaste besoek op 30 Mei 2008)

Driedger D "Disabled Peoples' International" <<http://www.independentliving.org/docs1/dispeopleintldev3.html#anchor2601143>> (laaste besoek op 20 Mei 2008)

Dube AK "The role and effectiveness of disability legislation in South Africa"
Samaita Consultancy and Programme Design, Maart 2005
<http://disabilitykar.net/docs/legislation_sa.doc> (laaste besoek op 20 Mei 2008)

DuBow S "The Television Decoder Circuit Act-TV for All" 1991 *Temple Law
Review* 609

Dupper O "Affirmative Action and Substantive Equality: The South African
Experience" 2002 *SA Merc LJ* 275

Earl P "History and Descriptive Account of the Bloomingdale Asylum for the Insane" (1845) 2 *American Journal of Insanity* 1

Fernald WE "The History of the Treatment of the Feeble-Minded" (1893) 21 *Proceedings of the National Conference of Social Work* 203

FitzGerald JF "The Duty of the State towards Its Idiotic and Feeble-Minded" (1900) 1 *Proceedings of the New York State Conference of Charities* 172

Gerson HE en Addison JG "Handicapped Discrimination Law and the Americans with Disabilities Act" 1991 *Mississippi College Law Review* 241

Gleeson BJ "Disability Studies: A Historical Materialist View" 1997 *Disability en Society* 179

Gostin L "Human Rights of Persons With Mental Disabilities – The European Convention of Human Rights" 2000 (23) *International Journal of Law and Psychiatry* 126

Gottshal J "The Cutting Edge: Sterilization and Eugenics in California, 1909-1945" <<http://www.gottshall.com/thesis/article.htm> (laaste besoek op 30 Mei 2008)

Grobbelaar-du Plessis I "The victims of multilayered discrimination" 2007 *SA Publiekreg* 405

Hahn H "Towards the politicals of disability: definitions, disciplines, and policies, and social policy" 1985 *Social Science Journal* 87

Heyer K "Rights or Quotas? The ADA as a Model for Disability Rights" in Nielsen LB en Nelson RL (reds) *Handbook of Employment Discrimination Research* (2005) 239

Hendricks A "Disabled Persons and Their Rights to Treatment: Allowing Differentiation While Ending Discrimination" in *Health & Human Rights* (1995) 152

Hendricks A "Promoting Disability Equality after the Treaty of Amsterdam: New Legal Directions and Practical Expansion Strategies" in *Disability Rights in Europe* (2005) 187

Jones M en Marks LA "Law and the Social Construction of Disability" in Jones M en Marks AB (reds) (1999) 3

Kanter A "The Globalization of Disability Rights Law" (2003) *Syracuse Journal of International Law and Commerce* 243

Kanter A "Toward Equality: The ADA's Accommodation of Difference" in Jones M en Marks AB (reds) (1999) 227

Kennedy F "The problem of social control of the congenital defective: Education, sterilization, euthanasia" 1942 *American Journal of Psychiatry* 13

Knight GH "Colony Care for Adult Idiots" (1891) 19 *Proceedings of the National Conference of Social Work* 107

Kok A "The Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000: Proposals for Legislative Reform" 2002 *SAJHR* 445

Krieger LH "Forward - Backlash Against the ADA: Interdisciplinary Perspectives en Implication for Social Justice Strategies" 2000 *Berkley Journal of Employment en Labour Law* 1

Long AB "Introducing the New and Improved Americans with Disabilities Act: Assessing the ADA Amendments Act of 2008" 2009 *Northwestern Law Review Colloquy* 219

Lowi TJ "Four Systems of Policy, Politics, and Choice" 1968 *Public Administration Review* 298

Mackelprang RW en Salsgiver RO "People with Disabilities and Social Work: Historical and Contemporary Issues" 1996 *Social Work* 7

Malan K "Regsvergelyking in Fundamentele Regte Litigasie" *THRHR* 1997 217

Malan K “ ’n Kritiese evaluering van menseregte as eietydse globale politieke-juridiese verskynsel” 2003 43:1 en 2 *Tydskrif vir Geesteswetenskappe* 94

Malan K “Die brose wisselwerking tussen die (reg op) eierigting en die (falende) staat” 2007 *Tydskrif vir Geesteswetenskappe* (7) 4: 8

Malan K “Faction rule, (natural) justice and democracy” 2006 *SA Publiekreg* (21) 142

Malan K “Die Grondwet, onderwysowerhede en die pad vorentoe vir Afrikaanse skole” 2010 *Tydskrif vir Geesteswetenskappe* 50: 283

Malherbe R en Van Eck M “The state’s failure to comply with its constitutional duties and its impact on democracy” 2009 *TSAR* (2) 209

Marks SP “The Human Rights to Development: Between Rhetoric and Reality” 2007 *Harvard Human Rights Journal* 137

McCluskey M “Rethinking Equality and Difference: Disability Discrimination and Public Transportation” 1988 *Yale Law Journal* 866-867 in Quinn G, McDonagh M en Kimber C (reds) (1993) 23

Michailakis D “The Standard Rules: A Weak Instrument and a Strong Commitment” in Jones M en Marks AB (reds) (1999) 119

Moseneke D “The Fourth Bram Fischer Memorial Lecture: Transformative Adjudication” 2002 *SAJHR* 309

Ngwena C “Deconstructing the definition of ‘disability’ under the employment equity act: legal deconstruction” 2007 *SAJHR* 124

Ngwena C “Equality for people with disabilities in the workplace an overview of the emergence of disability as a human rights issue” 2004 *Journal for Juridical Science* 179

Perrin B en Nirje B “Setting the record straight: a critique of some frequent misconceptions of the normalization principle” 1985 11(2) *Australia and New Zealand Journal of Developmental Disabilities* 69

Pityane B "The Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000" 2003 *Codicillus XLIV* 3

Priestely M "Developing Disability Studies programme: the international context" in *Disability and Social Change: A South African Agenda* (2006) 19

Quinn G "The European Union and the Council of Europe on the Issue of Human Rights: Twins Separated at Birth?" 2001 *McGill Law Journal* 845

Rautenbach IM "Die Konstitusionele Hof se Riglyne vir die Toepassing van die Reg op Gelykheid" 2001 *TSAR* 329

Rosenthal E en Rubenstein LS "International Human Rights Advocacy Under the Principles for the Protection of persons with mental Illness" (1993) *International Journal of Law and Psychiatry* 257

Rushton P "Lunatics and Idiots: Mental Disability, the Community, and the Poor Law in North-East England, 1600 – 1800" 1988 *Medical History* 36

Scull A "Psychiatry and Social Control in the Nineteenth and Twentieth Centuries" (1991) 2 *History of Psychiatry* 149

Siegel IH en Weinberg E "State Bonuses for Veterans" 1950 58(1) *The Journal of Political Economy* 70

Sofair AN en Kaldjian LC "Eugenic Sterilization and a Qualified Nazi Analogy: The United States and Germany, 1930 – 1945" 2000 *Annals of Internal Medicine* 312

Stein MA en Stein PJS "Beyond Disability Civil Rights" 2007 *Hastings Law Journal* 1207

Stein MA "A Quick Overview of the United Nations Convention on the Rights of Persons with Disabilities and Its Implications for Americans with Disabilities" 2007 *Mental en Physical Disability Law Reporter* 679

Stein MA "Disability Human Rights" 2007 *California Law Review* 75

Stein MA en Lord JE “Future Prospects for the United Nations Convention on the Rights of Persons with Disabilities” in Arnardóttir OM en Quinn G (reds) *The UN Convention on the Rights of Persons with Disabilities – European and Scandinavian Perspectives* (2009) 17

Stewart JQA “The Industrial Department of the Kentucky Institution for the Education and Training of Feeble-Minded Children” 1882 *Proceedings of the Association of Medical Officers of American Institutions for Idiotic and Feeble-minded Persons* 236

Strauss D, Rossouw J en Fourie J “Die implikasies van ’n regstaat vir ontwikkelende lande” 2009 *Tydskrif vir Geesteswetenskappe* (49) 181

Strous RD “Hitler’s Psychiatrists: Healers and Researchers Turned Executioners and Its Relevance Today” (2006) 14 *Harvard Review Psychiatry* 30

Spitzer RJ “Promoting Policy Theory: Revising the Arenas of Power” 1987 *Policy Studies Journal* 675

Thomas PhJ “*Cura debilium personarum*” 2005 *De Jure* 60

Thomas PhJ “Old age, legal certainty and *cura debilium personarum*” 2005 *Obiter* 691; 2005 *De Jure* 62

Traustadóttir R “Disability studies, the Social Model and Legal Developments” in *The UN Convention on the Rights of Persons with Disabilities – European and Scandinavian Perspectives* (2009) 5

Van Reenen TP “Equality, Discrimination and Affirmative Action: An Analysis of Section 9 of the Constitution of the Republic of South Africa” 1997 *SA Publikereg* 12(1) 151

Vasak K “Human Rights: As a Legal Reality” in Vasak K *The International Dimension of Human Rights* (1982) Connecticut: Greenwood Press

Venter F “Die Beperkings van Regstellende Gelykheid” 2004 *Potchefstroom Elektroniese Regstydskrif* 1 en 2

Venter F “Die ontstaan van staatkundige stelsels toegepas op die kontemporêre Suid-Afrikaanse staat” 1995 *Tydskrif vir Geesteswetenskappe* 128

Viviers H "The Politics of Bodily Disability" (2005) 90 (3) *Scriptura* 799

Waddington L "The European Community's Response to Disability" in Jones M en Marks AB (reds) (1999) 139

Walk A "Some Aspects of the "Moral Treatment" of the Insane up to 1854" 1954 *Journal of Mental Science* 807 – 837

Warkany J "Congenital Malformations in the Past" 1959 *Journal of Chronic Disabilities* 84

Weicker LP "Historical Background of the Americans with Disabilities Act" 1991 (64) *Temp. L. Rev.* 387

Weiner DB "Philippe Pinel's 'Memoir on Madness' of December 11, 1794: a fundamental text of modern psychiatry" 1992 *American Journal of Psychiatry* 725

Whittle R "Disability Rights after Amsterdam: the way forward" 2000 *European Human Right Law Review* 33

Wolfensberger W "The extermination of Handicapped People in World War II Germany" (1981) 19 *Mental Retardation* 1

Woodill G en Velche D "From Charity and Exclusion to Emerging Independence: An Introduction to the History of Disabilities" 1995 *Journal on Developmental Disabilities* 1

KONGRESSE, VERSLAE EN RESOLUSIES

Verenigde Nasies

Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment 1988 (Samevatting van Beginsels vir die Beskerming van Alle Persone wat onderwerp word aan Enige Vorm van Aanhouding of Gevangenskap van 9 Desember 1988 resoluie 43/173 van die Algemene Vergadering)

“Coherent Policy for the Rehabilitation of People with Disabilities” Algemene Vergadering Resoluie 48/96 van 20 Desember 1993

Despouy L Sentrum vir Menseregte en Gestremdes Spesiale Rapporteur van die Sub-Kommissie van Voorkoming van Diskriminasie en Beskerming van Minderhede 1993 *Human Rights Study Series 6*

“Explanation of Position on the Convention on the Rights of Persons with Disabilities, Agenda Item 67(b), in the General Assembly” deur die Ambassadeur RT Miller van die VSA, Verteenwoordiger tot die VN Ekonomiese en Sosiale Raad, New York Stad, 13 Desember 2006 <<http://www.state.gov/p/io/rls/rm/81455.htm>> (laaste besoek op 23 April 2008)

International Classification of Impairments, disabilities, and Handicaps: A Manual of Classification Relating to the Consequences of Disease, United Nations, Geneva (1980)

ILO Aanbevelings Nr. 99 van 1955 en Nr. 168 van 1983

Principles for the Protection of Persons with Mental Illnesses and the Improvement of Mental Health Care 1991 (Beginsels vir die Beskerming van Persone met Geestesiektes en die Verbetering van Geestesgesondheidsorg)

Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1982 (Beginsels vir Mediese Etiek ter sake vir die Rol wat Gesondheidspersoneel, en spesifiek Geneeshere speel, in die Beskerming van Gevangenes en Aangehoudenenes teen

Marteling en Ander Wrede, Onmenslike of Vernederende Vorme van Behandeling en Straf van 18 Desember 1982)

Interim Report of the Secretary-General on Implementation of the World Programme of Action concerning Disabled Persons A/RES/S-24/2

Komitee met betrekking tot Ekonomiese, Sosiale en Kulturele Regte, Algemene Opmerking nommer 5, Persone met Gestremdhede (Elfde sessie, 199), Verenigde Nasies Dokument E/1995/22 by 19 (1995), 'n herdruk in kompilasie met Algemene Opmerkings en Algemene Aanbevelings aangeneem deur die Menseregte Verdragsliggame, Verenigde Nasies Dokument HRI/GEN/1/Rev.6 by 24 (2003)

Komitee vir die Uitskakeling van Alle Vorme van Diskriminasie teen Vroue se Algemene Aanbeveling 18 met betrekking tot vroue met gestremdhede by die 10de sessie van 1991 in Verenigde Nasies Dokument A/46/38 by 3 (1993) 'n herdruk van 'n versameling van Algemene Aanbevelings aangeneem deur Menseregte (Treaty Bodies) Verdragsliggame, Verenigde Nasies Dokument HRI/GEN/1/Rev.6 (2003)

Kopenhagen Deklarasie oor Sosiale Ontwikkeling en die Program van Aksie van die Wêreldberaad vir Sosiale Ontwikkeling Verenigde Nasies van 6 tot 12 Maart

Sekretaris-Generaal verslag aangaande implementering van die Wêreldprogram van Aksie Verenigde Nasies Dokument A/47/415

Europees

Amptelike Joernaal van die Europese Unie C310 Volume 47 van 2004/12/162004

European Union Council Resolution of 17 June 1999 on equal employment opportunities for people with disabilities

European Union Council Resolution of 5 May 2003 on equal opportunities for pupil sand students with disabilities in education and training

European Union Council Resolution of 6 February 2003

European Union Resolution of the Council and of the Representatives of the Governments of the Member States Meeting of 20 December 1996 on equality of opportunity for people with disabilities

European Union Resolution of the Council and the Ministers for Education of 31 May 1990 concerning integration of children and young people with disabilities into ordinary systems of education

Framework Employment Directive (Europese Unie Raamwerkdirektief oor Diskriminasie by Indiensneming Raadsdirektief 2000/78/EC van 27 November 2000)

Malaga Ministeriële deklarasie oor Persone met Gestremdhede “Progressing towards full participation as citizens”, aangeneem deur die Tweede Europese Kongres vir Ministers wat verantwoordelik is vir integreringsbeleid vir persone met gestremdhede, Malaga (Spanje), 7-8 Mei 2003

Politieke verklaring van die Tweede Ministeriële Konferensie van Ministers verantwoordelik vir die Integreringsbeleid vir Persone met Gestremdhede, 7 – 8 Mei 2004, Malaga, Spanje <[http://www.coe.int/t/e/social_cohesion/soc-sp/CONFMIN-iPH%20\(2003\)%203%20final%20E%20Political%20Declaration.pdf](http://www.coe.int/t/e/social_cohesion/soc-sp/CONFMIN-iPH%20(2003)%203%20final%20E%20Political%20Declaration.pdf)> (laaste besoek op 25 Februarie 2008)

Opinion 2/94, Accession by the Community to the European Convention for the Protection of Human Rights and Fundamental Freedoms [1996] ECR I-1759

Witskrif van Julie 1994 *Commission White Paper: European Social Policy – A Way Forward for the Union*, COM(94) 333

Verenigde State van Amerika

EEOC “Interpretive Guidance” 29 CFR 1630.2

DHEW Regulasies DHEW 34 CFR 104 (1990)

Suid-Afrikaans

INDS “Integrated National Disability Strategy”

“Report of the Taylor Committee into social security systems for SA – Essential reading on poverty issues; Committee Report No 9: Social security for people with disabilities” by
<<http://www.sarpn.org.za/CountryPovertyPapers/SouthAfrica/taylor/report9.php>> (laaste besoek op 1 Mei 2008)

South African Human Rights Commission *Towards a barrier-free society: A report on accessibility and built environment*
<http://www.sahrc.org.za/towards_barriers_free_society.pdf> (2002)(laaste besoek op 28 Mei 2008)

SABS 0400-1987 regulasies

Staatskoerant No. 11333, kennisgewing no. R. 1081, 10 Junie 1988

Staatskoerant no.: 23702 van 19 Augustus 2002

“Technical Assistance Guidelines on the Employment of People with Disabilities (TAG)” uitgegee deur die departement van arbeid.

Kongresse

“Equalization of Opportunities” verrigtinge van die derde Wêreld Kongres van Gestremdes gehou te Vancouver, Kanada, 21-26 April 1992

Colon DM “Martin Luther, the Devil and the Teufelchen: Attitudes toward Mentally Retarded Children in Sixteenth Century Germany” 1989 *Proceedings of the PMR (Patristic, Medieval, and Renaissance) Conference*

Degener T en Quinn G “A Survey of International, Comparative and Regional Disability law Reform. Expert Group Meeting on the Comprehensive and Integral international Convention to Promote and Protect the Right and Dignity of Persons with Disabilities, Mexico City 11 – 14 June 2002”
<<http://www.sre.gob.mx/discapacidad/papertdegener.htm>> (laaste besoek op 1 April 2007)

Devlieger P “Generating a cultural model of disability” - Presented at the 19th Congress of the European Federation of Associations of Teachers of the Deaf (FEAPDA), 14-16 October 2005

Die “Hague Congress” wat in Den Haag vanaf 7 tot 11 Mei 1948 gehou is. Sewehonderd en vyftig afgevaardigdes van oor Europa het die kongres bygewoon.

Ericsson K “The Principle of Normalization: History and Experiences in Scandinavian Countries”, Presentation ILSMH Congress, Hamburg 1985

Implementation of the World Programme of Action and the United Nations Decade of Disabled Persons Verenigde Nasies dokument A/47/415 van 11 Desember 1992

Lathouwers J “Council of Europe: The Plans for an Additional Protocol on Non-Discrimination to the ECHR”, referaat gelewer by die internasionale konferensie op wetgewing teen diskriminasie in Utrecht, Nederland, 25 Junie 1998

Nirje B, *The basis and logic of the normalisation principle*, Sixth International Congress of IASSMD, Toronto, 1982

Quinn G “An Overview of European Disability Law” 11 Januarie 2007 International Disability Law Conference, Renmin University of China Law School, Beijing

Sub-regional Meeting on Disability Legislation – Decent Work for Persons with Disabilities in Africa” op 12-14 Mei 2008 te Kaapstad

Wêreldkonferensie met betrekking tot Menseregte gehou tussen 14-25 Junie 1993 te Wene

World Summit for Social Development in Copenhagen, 1995

REGSPRAAK

Europese Regspraak

A v United Kingdom App. No. 100/1997/884/1096 van die uitspraak op 23 September 1998

Aerts v. Belgium, uitspraak 30 Julie 1998, 1998-V EurCtHR 1939, (1998) EHRLR (1998)

Ashingdane v. United Kingdom 93 EurCtHR (series A), (1985) 7 EHRR 528

Autisme Europe v France Klagnommer 13/2002 aangehoor deur die Europese Komitee vir Sosiale Regte op 3 en 4 November 2003

Botta v Italy (1998) 153/1996/772/973 (1998) 26 EHRR 241

D.H. v Czech Republic ECHR, App. No. 57325/00 7 Februarie 2006

D.S.E. v. Netherlands App. No. 23807/94, (1998) EHRLR 99-100 (EurComm'n HR 1997)

Denmark, Norway, Sweden and the Netherlands v. Greece App. No. 3321-3/67, App. No. 3344/67, 12 Y.B. Europese Konvensie oor Menseregte 186 (1969)

Erkalo v. Netherlands 2 September 1998, 88 EurCtHR 2464 (1999) EHRLR 117

Fialkowski v. Shapp 405 F. Supp. 946, 947, 958, 959 (E.D.Pa, 1975)

Garrity v Gallen 522 F Supp 171, 206 (DNH 1981)

Gaygusuz v Austria (1996) 23 EHRR 364

Golder v United Kingdom 18 ECtHR (Series A), (1975) 1 EHRR 521

Guerra v. Italy (1998) 27 EHRR 357

Hammer v United Kingdom App. No. 7114/75, 24 Dec. en Rep. 5 (Eur. Comm'n H.R. 1981)

Herczegfalvy v. Austria 244 EurCtHR (Series A), (1993) 15 EHRR 437

Ireland v United Kingdom 25 EurCtHR (Series A), (1978)

Isiltan v Turkey App. No. 20948/92

Johnson v. United Kingdom uitspraak van 24 Oktober 1997, 1997 – VII EurCtHR 2391, (1999) 27 EHRR 296

Kawka v Poland App. No. 25874/94, uitspraak van 9 Januarie 2001

Keenan v United Kingdom (2001) 33 EHRR 39

L v Sweden Aansoeknommer 10801/84 Eur. Comm'n H.R. van 3 Oktober 1988, 61 Dec. en Rep. 62, 73 (1988)

LCB v United Kingdom (1998) 27 EHRR 212

Leander v. Sweden (1987) 9 EHRR 433

Luberty v. Italy 23 Februarie 1984, 75 EurCtHR (Series A)

Marckx v. Belgium (1979) 2 EHRR 330

Mathieu-Mohin en Clerfayt v Belgium (1987) 23 EHRR 364

McGinley and Egan v United Kingdom (1998) 27 EHRR 1

Niemietz v. Germany (1992) 16 EHRR 94

Price v United Kingdom App. No. 33394/96 (2001) 34 EHRR 1285

Schuurs v. the Netherlands, App. No. 10518/83, 41 Dec. en Rep. 186 EurComm'n HR 1985

Sunday Times v United Kingdom (1979) 2 EHRR 245

Van der Leer v. the Netherlands uitspraak 21 Februarie 1990, 170 EurCtHR (Series A) (1990) 12 EHRR 567

Winterwerp v Netherlands 24 Oktober 1979, (Series A) no. 33

Winterwerp v. Netherlands 27 November 1981, 47 EurCtHR (Series A) (1979) 2 EHRR 387

X v. Iceland App. No. 6825/74, 5 Dec. en Rep. 86 – 87 (ECtHR 1976)

X v. the United Kingdom 5 November 1981, Series A no. 46

X v. United Kingdom 27 November 1981, 46 EurCtHR (Series A)

Zoggia v. Italy App. No. 44973/98

Verenigde State van Amerika

Andrews v Law Society of British Columbia [1989] 1 S.C.R. 143

Brown v Board of Education 347 US 483 (1953)

Buck v Bell 274 U.S. 200 (1927)

Caban v. Mohammed 441 U.S. 380 (1979)

City of Cleburne v. Cleburne Living Centre 473 U.S. 423 (1985)

Craig v. Boren 429 U.S. 190, 197 (1976)

Eaton v Brant County Board of Education [1997] 1 S.C.R. 241

Graham v. Richardson 403 U.S. 365 (1971)

Gratz v. Bollinger 539 U.S. 244, 270 (2003)

Grove City College v Bell 465 U.S. 555 (1984)

Johnson v. California 543 U.S. 499, 505 (2005)

Julio Cortes v Board of Governors of State Colleges and Universities for Northeast Ill. Univ. And Santos Rivera No. 89 C 3449, 1990 WL 186425 (Mem.Op. November 14, 1990)

Korematsu v. United States 323 U.S. 214 (1944); en Shaman JM (2001) 89

McCulloch v. Maryland van 1819

Penn. Assoc. For Retarded Children (PARC) v. Pennsylvania 343 F. Supp. 279 (E.D.Pa 1972)

Republican Party of Minn. v. White 536 U.S. 765, 774-75 (2002).

Robert T. McGregor v. Louisiana State University Board of Supervisors 3 F.3d 850. 3 ADD 354, 24 September 1993

Rouse v. Cameron 373 F. 2d 451 125 U.S., App D.C. 366. No. 19863

Sutton v. United Airlines 527 U.S. by 471, 511 (1999)

Toyota Motor Manufacturing, Kentucky, Inc. v. Williams 534 U.S. 184 (2002)

Trageser v Libbie Rehabilitation Center, Inc 590 F.2d 87 (CA4 1978), cert. denied, 442 U.S. 947, 99 S.Ct. 2895, 61 L.Ed.2d 318 (1979)

United States v. O'Brien 391 U.S. 367 (1968); en Shaman JM (2001) 93

Wyatt v Stickney 325 F. Supp 781 (M.D. Ala.1971) 334 F. Supp. 1341 (M.D.Ala 1971), 344 F. Supp. 373 (M.D. Ala. 1972), sub nom *Wyatt v. Aderholt*, 503 F. 2d 1305 (5th Cir. 1974)

Wyatt v. Aderholt, 503 F. 2d 1305 (5th Cir. 1974)

Suid- Afrikaanse Regspraak

Ackerman v United Cricket Board of SA 2004 IJL 353 (KVBA)

Archer v United Association of SA 2005 ILJ 790 (KVBA)

Automobile Association of SA v Govender DA23/99) [2000] ZALAC 19 (20 September 2000)

Bennet v Mondipak 2004 ILJ 583 (KVBA)

Brink v Kitshoff NO 1996 (4) SA 197 (CC)

Bhe v Magistrate of Khayelitsha 2005 (1) SA 580 (CC), 2005 (1) BCLR (CC)

Carr v Fisons Pharmaceuticals 1995 ILJ 173 (NH)

Croucamp v Le Carbonne SA (Pty) Ltd 1995 ILJ 1223 (NH)

Esthe Muller v Minister of Justice and Minister of Public Works Saakno 01/2003

Free State Consolidated Gold Mines (Operations) Bpk v Labuschagne 1999 ILJ 2823 (AAH)

Government of the Republic of South Africa and Others v Grootboom and Others 2000 (3) BCLR 227 (C)

Harksen v Lane NO 1998 (1) SA 300 (CC)

Hoffman v South African Airways 2001(1) SA 1 (CC)

Hoffmann v SA Airways 2000 ILJ 891 (W), 2000 IJL 2357 (KH)

IMATU v City of Cape Town 2005 ILJ 1404 (AH)

Leonard Dingler (Pty) Ltd v Ngwenya 1999 ILJ 1171 (AAH)

Mahlanyana v Cadbury (Pty) Ltd 2000 ILJ 2274 (AH)

MEC For Education Kwazulu-Natal en Others v Pillay 2008 (1) SA 474 (CC); 2008 (1) SA 4740

Minister of Health and Others v Treatment Action Campaign and Others (2) 2002 (5) SA 721 (CC)

Minister v the Interior v Harris 1952 (4) SA 769 (A)

N v Minister of Defence 2000 ILJ 999 (AHN)

National Coalition for Gay & Lesbian Equality v Minister of Justice 1999 (1) SA 6 (CC)

NK v Minister of Safety and Security (konstitusionele hof 4 April 2007, ongerapporteerd) paragraaf 35

POPCRU v SA Police Service 2003 ILJ 254

President of the Republic of South Africa v Hugo 1997 (4) SA 1 (CC)

Pretoria City Council v Walker 1998 (2) SA 363 (CC)

Prinsloo v Van der Linde 1997 (3) SA 1012 (CC).

Schmahmann v Concept Communication Natal (Pty) Ltd 1997 ILJ 1333 (AH)

Spero v Elvey International (Pty) Ltd 1995) 16 ILJ 1210 (NH)

Springate en Andere v Minister van Basiese Onderwys en Andere [ongerapporteerd 2009]

Standard Bank of South Africa v CCMA en Others [2008] 4 BLLR 368

Van Rensburg v Northern Cape Provincial Administration 1997 ILJ 1421 (KVBA)

Van Niekerk v Minister of Labour 1996 ILJ 525 (K)

Walters v Transitional Local Council of Port Elizabeth 2000 ILJ 2723

WH Bosch v The Minister of Safety and Security en Minister of Public Works Saakno. 25/2005 (9)

Woolworths (Pty) Ltd v Whitehead 2000 ILJ 571 (AAH)

WETGEWING

Suid- Afrikaanse Wetgewing

Employment Equity Act 55 of 1998

Mental Health Act 17 of 2002

Promotion of Equity and Prevention of Unfair Discrimination Act, 4 of 2000

Promotion of Equity and Prevention of Unfair Discrimination Act, 4 of 2000

Specially Adapted Housing (SAH) Act Public Law 80-702, 62 Stat. 500 (1948)

Suid-Afrikaanse Skolewet 84 van 1996

Tussentydse Grondwet van die Republiek van Suid-Afrika, 200 van 1993

Vaardigheidsontwikkingswet 97 of 1998

Wet op Arbeidsverhoudinge 66 van 1995

Wet op die Menseregtekommissie 54 van 1994

Wet op Geestesgesondheid 17 van 2000

Wet op Hoër Onderwys 101 van 1997

Wet op Maatskaplike Bystand 13 van 2004

Wet op Vergoeding vir Beroepsbeserings en –Siektes 130 van 1993

Europese Wetgewing

Irish Disability Act of 2005

United Kingdom Mental Health Act of 1983

Verenigde State van Amerika

Americans with Disabilities Act van 1990, gekodifiseer by 42 U.S.C. § 12101 et seq., van 26 Julie 1990

Americans with Disabilities Amendments Act van 2008, *Public Law* 110-325 van 25 September 2008.

Architectural Barriers Act Public Law 90-480, 82 Stat. 718, gekodifiseer by 42 U.S.C. § 4151 et seq

Civil Rights Act of 1964 Public Law 88-352

Civil Rights Restoration Act of 1987 Public Law 100-259

Developmental Disabled Assistance and Bill of Rights Act Public Law 94-103, 89 Stat 486 (1975)

Education for All Handicapped Children's Act of 1975 Public law 94-142

Education of the Handicapped Act Amendments (EHA) Public Law 101-476 van 1990

Education of the Handicapped Act Public Law 92-230

Education of the Handicapped Amendments of 1974 Public Law 93-380

Elementary and Secondary Education Amendments Act Public Law 89-750

Human Relations Act of 1955 Public Law 744, soos gewysig van Oktober 1955

Maternal and Child Health and Mental Retardation Planning Amendments Public Law 88-156

Mental Retardation Facilities and Community Mental Health Centers Construction Act Public Law 88-164

Rehabilitation Act of 1973 Public Law 93-112 93rd Congress, H. R. 8070 van 26 September 1973

Rehabilitation, Comprehensive Services, and Developmental Disabilities
Amendments Public Law 95-602

INTERNASIONALE OOREENKOMSTE EN ANDER INSTRUMENTE

Deklarasies

Beijing Declaration and Platform for Action 1995 (Beijing Deklarasie en Beleid van Aksie)

Copenhagen Declaration and the Programme of Action of the World Social Summit 1999 (Kopenhagen Deklarasie oor Sosiale Ontwikkeling en die Program van Aksie van die Wêreldberaad vir Sosiale Ontwikkeling)

Declaration on the Elimination of Violence Against Women 1993 (Deklarasie oor die Uitskakeling van Geweld teen Vroue)

Declaration on the Protection of all Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1975 (Deklarasie vir die Beskerming van Alle Persone om nie Onderwerp te word aan Mishandeling en ander Wrede, Onmenslike en Vernederende Behandeling of Straf)

Declaration on the Right to Development 1986 (Deklarasie oor die Reg op Ontwikkeling)

Declaration on the Rights of Disabled Persons 1975 (Deklarasie oor Regte van Gestremde Persone)

Declaration on the Rights of Mentally Retarded Persons 1971 (Deklarasie oor Regte van Verstandelik Gestremde Persone)

Declarations of Rights of Deaf- Blind Persons 1977 (Deklarasies oor Regte van Doof-Blinde Persone)

French Declaration on the Rights of Man 1789 (Franse Deklarasie van die Regte van die Mens en Burger)

Universal Declaration of Human Rights 1948 (Universele Deklarasie van Menseregte)

Vienna Declaration and Programme of Action Adopted by the World Conference on Human Rights in Vienna 1993 (Weense Deklarasie en die Program van Aksie)

Verenigde Nasies

Charter of the United Nations 1945 (Verenigde Nasies se Handves)

Convention on the Rights of a Child 1989 (Konvensie oor die Regte van die Kind)

Convention on the Elimination of All Forms of Discrimination against Women 1979 (Konvensie oor die Uitskakeling van Alle Vorme van Diskriminasie teen Vroue van 18 Desember 1979)

Convention on the Rights of Persons with Disabilities 2006 (Konvensie oor die Regte van Persone met Gestremdhede van 13 Desember 2006)

ILO Convention (No. 159) concerning Vocational Rehabilitation and Employment (Disabled Persons) 1983 (Internasionale Arbeidsorganisasie (IAO) Konvensie (Nr. 159) oor Beroepsgerigte Rehabilitasie en Indiensneming van Gestremde Persone (Gestremde Persone)) van 1983

International Covenant on Civil and Political Rights 1966 (Internasionale Verbond vir Burgerlike en Politieke Regte)

International Covenant on Economic, Social and Cultural Rights 1966 (Internasionale Verbond vir Ekonomiese, Sosiale en Kulturele Regte)

Internasionale Arbeidsorganisasie (ILO) Konvensie (Nr. 159) met betrekking tot Beroepsgerigte Rehabilitasie en Indiensneming van Gestremde Persone

Universal Declaration of Human Rights 1948 (Universele Deklarasie van Menseregte)

Standard Rules on the Equalization of Opportunities for Persons with Disabilities 1993 (Standaardreëls oor Gelyke Geleenthede vir Persone met Gestremdhede), Verenigde Nasies Algemene Vergadering resolusie 48/96 van 20 Desember 1993

Europees

Charter of Fundamental Rights of the European Union 2000 (Europese Unie se Handves van Fundamentele Regte van Desember 2000)

European Convention for the Protection of Human Rights and Fundamental Freedoms 1971 (Europese Konvensie oor Menseregte en Individuele Vryhede soos gewysig deur die Protokol Nr. 11 met Protokol Nommers 1, 4, 6, 7, 12 en 13, Rome, 4.XI.1950)

European Social Charter (Europese Sosiale Handves)

Treaty establishing a Constitution of Europe (Grondwetverdrag van die Europese Unie)

Treaty of Amsterdam (Verdrag van Amsterdam)

Treaty on European Union (of "TEU", Verdrag van die Europese Unie of Verdrag van Maastricht)

Treaty on Lissabon (Verdrag van Lissabon)

Treaty of London (Verdrag van Londen onderteken by die hoofkwartiere van die Europese Raad te *Palais de l'Europe* in Strasbourg, Frankryk)

Treaty of Nice (Verdrag van Nice)

Treaty of Rome (Verdrag van Rome van 1957 wat die Europese Ekonomiese Gemeenskap (EEG) in werking gestel het)

Treaty on the Functioning of the European Union (of TFEU, Verdrag met betrekking tot die Werking van die Europese Unie)

Verenigde State van Amerika

American Declaration of Independence 1776 (Amerikaanse Onafhanklikheidsverklaring van 1776)

WEBWERWE

“A Guide to Disability Rights Laws”

<<http://www.usdoj.gov/crt/ada/cguide.htm>>

(laaste besoek op 31 Maart 2008)

Alabama Disabilities Advocacy Program Newsletter gedateer Julie 2004 “*Wyatt v. Stickney: A Landmark Decision*”

<<http://www.adap.net/Wyatt/landmark.pdf>>

(laaste besoek op 25 Maart 2008)

“ACSA not attending to the needs of disabled” by

<http://www.iol.co.za/index.php?click_id=13enaset_id=1enart_id=nw20080320133606931C536404>

(laaste besoek op 29 Mei 2008)

“Action Plan to promote the rights and full participation of Persons with Disabilities in Society: improving the equality of life of people with disabilities in Europe 2006 - 2015”

<[http://www.coe.int/t/e/social_cohesion/soc-sp/Rec\(2006\)5%20Disability%20Action%20Plan.doc](http://www.coe.int/t/e/social_cohesion/soc-sp/Rec(2006)5%20Disability%20Action%20Plan.doc)>

(laaste besoek op 29 Februarie 2008)

“Address On The Occasion Of His Inauguration” Union Buildings, Pretoria, 27 April 2004”

<<http://www.anc.org.za/ancdocs/history/mbeki/2004/tm0427.html>> (laaste besoek op 28 Mei 2008)

“Aviation industry to address concerns of disabled passengers” by

<<http://www.airports.co.za/home.asp?PID=94enToolID=2enItemID=4766>>

(laaste besoek op 29 Mei 2008)

“Background and current needs”

<<http://www.un.org/esa/socdev/enable/dissre01.htm>>

(laaste besoek op 20 Maart 2007)

“Briefing Report for USICD on the UN Ad Hoc Committee Meeting”

<<http://www.aapd-dc.org/News/disability/unadhocmeeting.html>>

(laaste besoek op 22 April 2008)

“Child protection from violence, exploitation and abuse”

<<http://www.unicef.org/protection/index.html>>

(laaste besoek op 24 Augustus 2007)

“Commission for Social Development”

<<http://www.un.org/esa/socdev/csd/>>

(laaste besoek op 31 Mei 2008)

“Convention on Rights of Persons with disabilities: briefing by the Office on Status of Disabled Persons en Department of Foreign”

<<http://www.pmg.org.za/minutes/20070524-convention-rights-persons-disabilities-briefing-office-status-disabled-persons-depa>>

(laaste besoek op 31 Mei 2008)

“Convention on the Rights of Persons with Disabilities [A/RES/61/106], resolution adopted by the General Assembly [without reference to a Main Committee (A/61/611)]”

<<http://www.un.org/disabilities/default.asp?id=61>>

(laaste besoek op 11 Maart 2008)

“Convention on the Rights of Persons with Disabilities and Optional Protocol”

<<http://www.un.org/esa/socdev/convention/info.htmf>>

(laaste besoek op 24 Augustus 2007)

“Convention on the Rights of Persons signature 30 March 2007”

<<http://www.un.org/News/Press/docs/2007/hr4914.doc.htm>>

(laaste besoek op 4 September 2007)

“Convention on the Rights of Persons with Disabilities”

<<http://www.un.org/disabilities/default.asp?navid=12enpid=150>>

(laaste besoek op 30 Augustus 2007)

“Council of Europe with 10 year action plan for people with disabilities”

<<http://www.ifsw.org/en/p38000916.html>>

(laaste besoek op 7 Februarie 2008)

“Day in Washington – Home of the Disability Policy Podcast”

<<http://dayinwashington.com/?p=141>>

(laaste besoek op 31 Mei 2008)

“Disability Definitions, Models and Terminology”.

<<http://www.dpsa.org.za/documents/Pocket%20Guide.htm>

(laaste besoek op 30 Mei 2008).

“Disability Rights Charter of South Africa”

<http://www.dpsa.org.za/documents_disability_rights.htm>

(laaste besoek op 27 Mei 2008)

“Disability Rights Law”

<http://www.fcc.gov/cgb/dro/504/disability_primer_1.html>

(laaste besoek op 31 Maart 2008)

“Disability, Discrimination and Poverty”

<<http://www.dpsa.org.za/documents/Pocket%20Guide.htm>>

(laaste besoek op 20 Maart 2007)

“Disabled People South Africa DPSA Pocket Guide On Disability Equity”

<<http://www.dpsa.org.za/documents/Pocket%20Guide.htm>>

(laaste besoek op 31 Mei 2008)

“Documents of the Social Summit +5 Special Session of the United Nations
General Assembly Geneva, 26 June – 1 July 2000”

<<http://www.un.org/esa/socdev/geneva2000/documents/>>

(laaste besoek op 12 Maart 2008)

“Entry into Force”

<<http://www.un.org/disabilities/default.asp?id=210>>

(laaste besoek op 30 Mei 2008)

“Equal opportunities for people with disabilities: a European action plan (2004-
2010)”

<http://europa.eu/legislation_summaries/employment_and_social_policy/disability_and_old_age/c11414_en.htm

(laaste besoek op 15 Junie 2009).

“Equality Court Victory for People with Disabilities”

<http://www.sahrc.org.za/sahrc_cms/publish/printer_150.shtml>

(laaste besoek op 21 Mei 2008)

“Esthe Muller Settlement in Equality Court”

<<http://www.info.gov.za/speeches/2004/04091609451001.htm>>

(laaste besoek op 21 Mei 2008)

“European Convention on the Protection of Human Rights and Fundamental Freedoms”

<<http://www.echr.coe.int/NR/rdonlyres/D5CC24A7-DC13-4318-B457-5C9014916D7A/0/EnglishAnglais.pdf>>

(laaste besoek op 27 Februarie 2008)

“European Human Rights System”

<<http://www.hrea.org/learn/guides/Europe.html>>

(laaste besoek op 1 Desember 2007)

“Explaining the Amsterdam Treaty”

<<http://www.independentliving.org/docs3/edf98.html#anchor4>>

(laaste besoek op 30 Junie 2009)

“Explanation of Position on the Convention on the Rights of Persons with Disabilities, Agenda Item 67(b), in the General Assembly” deur Ambassadeur Richard T. Miller van die VSA, Verteenwoordiger tot die VN Ekonomiese en Sosiale Raad, New York City, 13 Desember 2006

<<http://www.state.gov/p/io/rls/rm/81455.htm>>

(laaste besoek op 23 April 2008)

“H.R. 6258 [109th]: Americans with Disabilities Act Restoration Act of 2006”

<<http://www.govtrack.us/congress/bill.xpd?bill=h109-6258>>

(laaste besoek op 9 April 2008)

“Harassment and discrimination faced by people with psycho-social disability in health services. A European survey”

<<http://www.enusp.org/documents/harassment/overview.htm>>

(laaste besoek op 18 Desember 2009)

“Harassment and Discrimination faced by People with Psycho-Social Disability in Health Services – A European Story (2002-2004)”

<<http://www.mhe-sme.org/en/our-projects/past-projects/harassment-and-discrimination.HTML>
(laaste besoek op 18 Desember 2009)

“History of the European Union”
<<http://www.historiasiglo20.org/europe/traroma.htm>>
(laaste besoek op 31 Mei 2008)

“History of the South Carolina Department of Mental Health”
<<http://www.state.sc.us/dmh/history.htm>>
(laaste besoek op 30 Junie 2008)

“Human Rights and Disabled Persons” <<http://www.un.org/esa/socdev/enable/dispaperdes0.htm>
(laaste besoek op 18 Februarie 2008)

“Human Rights Learning Centre: Study Guide on the Human Rights of Persons with Disabilities”
<<http://www.hrea.org/learn/guide/disabilities.html>>
(laaste besoek op 3 Mei 2007)

“ICF International Classification of Functioning, Disability and Health”
<<http://www.who.int/classifications/icf/site/icftemplate.cfm>>
(laaste besoek op 11 Maart 2008)

“Image Archive on the American Eugenics Movement”
<<http://www.eugenicsarchive.org/eugenics/>>
(laaste besoek op 30 Mei 2008)

“Implementation of the World Programme of Action and the United Nations Decade of Disabled Persons” Verenigde Nasie dokument A/47/415 van 11 Desember 1992

“INDS executive summary”
<<http://www.info.gov.za/whitepapers/1997/disability.htm>>
(laaste bedoek op 29 Mei 2008)

“INDS”
<http://www.polity.org.za/govdocs/white_papers/disability1.html

(laaste besoek op 28 Mei 2008)

“Institute Health and Life Science”

<<http://www.intute.ac.uk/healthandlifesciences/medicine/>>

(laaste besoek op 11 Maart 2008)

“Integrating human rights with sustainable human development” by

<http://www.undp.org/governance/docs/HR_Pub_policy5.htm>

(laaste besoek op 22 April 2008)

“Intermediate Care Facility for People with Mental Retardation (ICF/MR)”

<http://www.workworld.org/wwwwebhelp/intermediate_care_facility_for_people_with_mental_retardation_icf_mr_.htm>

(laaste besoek op 2 Junie 2008)

“International Classification of Functioning and Disability Beta-2 Draft Full Version July 1999”

<<http://www.sustainable-design.ie/arch/Beta2full.pdf>>

(laaste besoek op 1 Mei 2009)

“International Classification of Functioning and Disability: A New Release from WHO”

<http://www.who.int/inf-pr-1999/en/note99-19.html>

(laaste besoek op 31 Mei 2008)

“International Day of Disabled Persons: Awareness raising with regard to transport, health care, accessibility and education”

<<http://www.thepresidency.gov.za/show.asp?type=speninclude=minister/sp/2006/sp1203847.htm>>

(laaste besoek op 29 Mei 2008)

“International Labour Organisation Convention, ILO, No. C159 was ratified by 71 countries”

<<http://www.ilo.org/public/english/employment/skills/hrdr/instr/c159r.htm>>

(laaste besoek op 10 Maart 2008)

“International Labour Organisation: ILO disability programme”

<<http://www.ilo.org/public/english/employment/skills/disability/iloprogram.htm>>

(laaste besoek op 11 Maart 2008)

“International Labour Organisation: ILO Policy en Research”

<http://www.ilo.org/public/english/employment/skills/disability/policy_m.htm
(laaste besoek op 11 Maart 2008)

“International Norms and Standards Relating to Disability”

<<http://www.un.org/esa/socdev/enable/comp301.htm>>
(laaste besoek op 8 Februarie 2008)

“International Year of Disabled Persons”

<<http://www.un.org/esa/socdev/enable/disidydp.htm>
(laaste besoek op 25 Mei 2008)

“Landmark Convention on the Rights of Persons with Disabilities to be Adopted on 13 December”

<<http://www.un.org/disabilities/convention/news061206.shtml>
(laaste besoek op 30 Mei 2008)

“Language and history in Ancient Greek Culture”

<<http://www.upenn.edu/pennpress/book/toc/14619.HTML>
(laaste besoek op 18 Desember 2009)

“Medical model of disability”

<<http://www.dpsa.org.za/documents/pocketguide.php>
(laaste besoek op 23 Desember 2009)

“Monitoring of the Implementation of the Convention”

<<http://www.un.org/disabilities/default.asp?navid=16enpid=157>>
(laaste besoek op 30 Mei 2008)

Quinn G “The European Social Charter and EU Anti discrimination Law in the Field of Disability: Two Gravitational Fields with One Common Purpose”

<<http://siteresources.worldbank.org/DISABILITY/Resources/News---Events/463933-1147810251877/GerardQuinnEuropeanSocialCh.pdf>
(laaste besoek op 31 Mei 2008)

“Historic Figures: William Tuke (1732 - 1822)”

<http://www.bbc.co.uk/history/historic_figures/tuke_william.shtml
(besoek op 30 Mei 2008).

“National Institute on Deafness and Other Communication Disorders”

<<http://www.nidcd.nih.gov/health/hearing/coch.asp>>

(laaste besoek op 4 Mei 2009).

“National Skills Development Strategy Implementation Report”

<<http://www.labour.gov.za/download/10666/Useful%20Document%20-%20SD%20-%20National%20Skills%20Development%20Implementation%20Report.pdf>>

(laaste besoek op 20 Mei 2008).

“On the Threshold of Independence”

<<http://www.ncd.gov/newsroom/publications/1988/threshold.htm>>

(laaste besoek op 30 Mei 2008)

“Partial Agreement in the Social and Public Health Field – Integration of People with Disabilities”

<http://www.coe.int:80/T/E/Social_Cohesion/soc-sp/Integration/>

(laaste besoek op 27 Augustus 2007)

“Persons with Disabilities, The UN Systems at Work”

<<http://www.un.org/issues/m-disabl.html>>

(laaste besoek op 18 Augustus 2007)

“Persons with disabilities: 09/12/94. CESCR General Comment 5 (General Comments)”

<<http://www.unhchr.ch/tbs/doc.nsf/0/4b0c449a9ab4ff72c12563ed0054f17d>>

(laaste besoek op 10 Maart 2008)

“President’s Panel on Mental Retardation”

<http://www.mnddc.org/parallels/five/5c/5c_html/ht1.html>

(laaste besoek op 30 Julie 2008)

“Ratifications - Countries that have ratified the Convention”

<<http://www.un.org/disabilities/default.asp?id=257>>

(laaste besoek op 11 Maart 2008)

Rehabilitation International”

><http://www.riglobal.org/about/index.html#whoweare> besoek word

(laaste besoek op 28 Mei 2008)

“Report of the Taylor Committee into social security systems for SA – Essential reading on poverty issues; Committee Report No 9: Social security for people with disabilities”

<<http://www.sarpn.org.za/CountryPovertyPapers/SouthAfrica/taylor/report9.php>

(laaste besoek op 1 Mei 2008)

“Resolution adopted by the General Assembly [without reference to a Main Committee (A/S-24/8/Rev.1)] S-24/2. Further initiatives for social development”

<<http://daccessdds.un.org/doc/UNDOC/GEN/N00/665/16/PDF/N0066516.pdf?OpenElement>>

(laaste besoek op 20 Maart 2007)

“Review of development as human right”

<http://www.ejsd.org/public/journal_bookreview/1

(laaste besoek op 22 April 2008)

“Righting the ADA”

<http://www.ncd.gov/newsroom/publications/2004/pdf/righting_ada.pdf

(laaste besoek op 22 April 2008)

“Resolution on the Implementation of the Declaration on the Rights of Disabled Persons - United Nations”

<http://wallis.kezenfogva.iif.hu/eu_konyvtar/projektek/vocational_rehabilitation/instr/un_049.htm

(laaste besoek op 25 Mei 2008)

“Resolution on the United Nations Decade of Disabled Persons - United Nations”

<http://wallis.kezenfogva.iif.hu/eu_konyvtar/projektek/vocational_rehabilitation/instr/un_024.htm

(laaste besoek op 20 Mei 2008).

“South Africa Country Profile; Promoting the Employability and Employment of People with Disabilities through Effective Legislation (Southern Africa), prepared by the ILO Skills and Employability Department Funded by Irish Aid” (Junie 2006)

<<http://www.ilo.org/public/english/employment/skills/disability/download/sthafrcp.pdf>>

(laaste besoek op 19 Mei 2008)

“South Africa Country Profile; Promoting the Employability and Employment of People with Disabilities through Effective Legislation (Southern Africa), prepared by the ILO Skills and Employability Department Funded by Irish Aid” (Junie 2006)

<<http://www.ilo.org/public/english/employment/skills/disability/download/sthafrcp.pdf>>

(laaste besoek op 19 Mei 2008)

“St. Petersburg Times online: John F. Kennedy The Exhibition”

<<http://www.sptimes.com/News/111199/JFK/family-tree.shtml>>

(laaste besoek op 18 Maart 2008)

“Standard Rules on the Equalization of Opportunities for Persons with Disabilities – Background and Current needs”

<<http://www.un.org/esa/socdev/enable/dissre01.htm>>

(laaste besoek op 20 Maart 2007)

“State of Nation Address: Office on the Status of Disabled Persons briefing”

<<http://www.pmg.org.za/report/20080305-state-nation-address-office-status-disabled-persons-briefing>>

(laaste besoek op 30 Mei 2008)

“Statement by President Jacob Zuma on the appointment of the new cabinet”

<<http://www.thepresidency.gov.za/main.asp?include=president/pr/2009/pr05101555.htm>>

(laaste besoek op 15 Junie 2009)

“Ten messages about children with disabilities”

<<http://www.unicef.org/teachers/learner/disable.htm>>

(laaste besoek op 24 Augustus 2007)

“The early years: 1945 – 1955”

<<http://www.un.org/esa/socdev/enable/dis50y20.htm>>

(laaste besoek op 6 Maart 2008)

“The European Constitutional Treaty”

<http://www.edf-feph.org/Page_Generale.asp?DocID =13854enthebloc=13860

(laaste besoek op 25 Februarie 2008)

“The European Convention on Human Rights and the rights of people with mental health and/or intellectual disabilities” van die “Mental Disability Advocacy Center”

<<http://orgs.tigweb.org/6539>

(laaste besoek op 4 Mei 2009)

“The European Union”

<<http://www.stammeringlaw.org.uk/eu/eu.htm>>

(laaste besoek op 19 Februarie 2008)

“the High Commissioner for Human Rights”

<<http://www.unhchr.ch/html/menu6/2/fs2.htm>

(laaste besoek op 8 Maart 2008)

“The International Disability Rights Movement”

<<http://www.dpsa.org.za/documents/Pocket%20Guide.htm>

(besoek op 20 Maart 2007)

“The OSDP contributed in the development of the Communication Strategy for the implementation of the disability”

<<http://www.thepresidency.gov.za/docs/reports/annual/2006/pcas-2.pdf>

(laaste besoek op 30 Mei 2008)

“The Rehabilitation Act of 1973

<<http://www.bu.edu/cpr/reasacom/whatlaws-rehaba.html#S501>

(laaste besoek op 27 Maart 2008)

“The Right to Development: An Interview with Dr Arjun Sengupta”

<<http://projects.essex.ac.uk/EHRR/archive/pdf/53.pdf>

(laaste besoek op 22 April 2008)

“The Rights and Dignity of Persons with Disability”

<<http://www.un.org/disabilities/countries.asp?navid=12enpid=166#E>>

(laaste besoek op 31 Mei 2008)

“The Role of Community Mental Health Centers as Rural Safety Net Providers
Working Paper #30 November 2002”

<<http://muskie.usm.maine.edu/Publications/rural/wp30.pdf>
(laaste besoek op 30 Junie 2009)

“The social welfare perspective: 1955 – 1970”

<<http://www.un.org/esa/socdev/enable/dis50y30.htm>
(laaste besoek op 6 Maart 2008)

“The United Nations and Disabled Persons - The First Fifty Years. A human
rights approach: the 1970s”

<<http://www.un.org/esa/socdev/enable/dis50y40.htm>
(laaste besoek op 6 Maart 2008)

“Toespraak van voormalige president Thabo Mbeki op 18 Januarie 1998 by die
amptelike opening van die “Perkins Braille Project”

<<http://www.anc.org.za/ancdocs/history/mbeki/1998/sp980116.html>
(laaste besoek op 27 Mei 2008)

“Transport”

<<http://www.info.gov.za/whitepapers/1997/disability.htm>
(laaste besoek op 29 Mei 2008)

“Treaty on European Union Official Journal C 191, 29 July 1992”

<http://europa.eu/abc/treaties/index_en.htm
(laaste besoek op 28 Februarie 2008).

“UN Standard Rules on the Equalization of Opportunities for Persons with
Disabilities of 1993”

<<http://www.un.org/esa/socdev/enable/women/wwdis1.htm>
(laaste besoek op 17 Augustus 2007)

“United Nations Enable: Standard Rules on Equalization of Opportunities:
Background and Current Needs”

<<http://www.un.org/esa/socdev/enable/dissre01.htm#Background>
(laaste besoek op 20 Maart 2007)

“United Nations Enable: Timeline of Events”

<<http://www.un.org/esa/socdev/enable//convinfohist1.htm>

(laaste besoek op 31 Augustus 2007)

“United Nations Radio” op 30 Maart 2007

<<http://www.un.org/radio/index.asp>>

(soos laaste besoek op 30 Augustus 2007)

“United Nations Enable: Rights and Dignity of Persons with Disabilities - Ratifications”

<<http://www.un.org/disabilities/default.asp?id=257>>

(laaste besoek op 11 Maart 2008)

“Vienna Declaration and Programme of Action Adopted by the World Conference on Human Rights in Vienna on 25 June 1993”

<<http://www2.ohchr.org/english/law/vienna.htm>

(laaste besoek op 10 Maart 2008)

“WODAS II Disability Assesment Schedule”

<<http://www.who.int/icidh/whodas/index.html>

(laaste besoek op 11 Maart 2008)

“Women with Disabilities and Gender Perspectives”

<<http://www.un.org/esa/socdev/enable/women/>>

(laaste besoek op 10 Maart 2008)

“Women with Disabilities: Lessons of Reinforcing the Gender Perspective in International Norms and Standards, Getting Women with Disabilities on the Development Agenda of the United Nations”

<<http://www.un.org/esa/socdev/enable/women/wwdis1.htm>

(laaste besoek op 17 Augustus 2007)

“World Health Organisation: Disabilities”

<<http://www.who.int/topics/disabilities/en/>

(laaste besoek op 11 Maart 2008)

“World Health Organisation: Disability, including prevention, management and rehabilitation

<<http://www.who.int/nmh/a5817/en/>

(laaste besoek op 11 Maart 2008)

“World Health Organisations: Blindness”
<<http://www.who.int/topics/blindness/en/>
(laaste besoek op 11 Maart 2008)

“World Health Organisations: Deafness”
<<http://www.who.int/topics/deafness/en/>
(laaste besoek op 11 Maart 2008)

“World Health Organisations: Mental Health”
http://www.who.int/mental_health/en/
(laaste besoek op 11 Maart 2008)

“Wyatt v. Stickney: A Landmark Decision”
<<http://www.adap.net/Wyatt/landmark.pdf>> 3
(laaste besoek op 25 Maart 2008)

Degener T en Quinn G “A Survey of International, Comparative and Regional Disability law Reform. Expert Group Meeting on the Comprehensive and Integral international Convention to Promote and Protect the Right and Dignity of Persons with Disabilities, Mexico City 11 – 14 June 2002”
<<http://www.sre.gob.mx/discapacidad/papertdegener.htm>
(laaste besoek op 1 April 2007)

Disabled People South Africa DPSA Pocket Guide On Disability Equity an Empowerment Tool”
<<http://www.dpsa.org.za/documents/pocketguide.php>
(laaste besoek op 26 Desember 2009).

Dube AK “The role and effectiveness of disability legislation in South Africa”
Samaita Consultancy and Programme Design, Maart 2005
<http://disabilitykar.net/docs/legislation_sa.doc>
(laaste besoek op 20 Mei 2008)

Gottshall J “The Cutting Edge: Sterilization and Eugenics in California, 1909-1945”
<<http://www.gottshall.com/thesis/article.htm>
(laaste besoek op 30 Mei 2008)

Kramsch C “Language and Culture: A Social Semiotic Perspective”

<<http://web2.adfl.org/adfl/bulletin/V33N2/332008.htm>
(laaste besoek op 18 Desember 2009)

“Models in science”
<<http://Plato.Stanford.edu/entries/models-science/>
(laaste besoek op 27 Desember 2009).

Politieke verklaring van die Tweede Ministeriële Konferensie van Ministers verantwoordelik vir die Integreringsbeleid vir Persone met Gestremdhede, 7 – 8 Mei 2004, Malaga, Spanje

<[http://www.coe.int/t/e/social_cohesion/soc-sp/CONFMIN-iPH%20\(2003\)%203%20final%20E%20Political%20Declaration.pdf](http://www.coe.int/t/e/social_cohesion/soc-sp/CONFMIN-iPH%20(2003)%203%20final%20E%20Political%20Declaration.pdf)
(laaste besoek op 25 Februarie 2008)

South African Human Rights Commission *Towards a barrier-free society: A report on accessibility and built environment*

<http://www.sahrc.org.za/towards_barriers_free_society.pdf> (2002)
(laaste besoek op 28 Mei 2008)

Toespraak van president Thabo Mbeki op 18 Januarie 1998 by die amptelike opening van die “Perkins Brailier Project”

<<http://www.anc.org.za/ancdocs/history/mbeki/1998/sp980116.html>>
(besoek op 27 Mei 2008)

ANDER

Ramirez A “Disability as field of study?” *New York Times* 21 December 1997

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Markus

Johannes