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The Disability Rights Movements in the EU and Europe



Mr. Theerawut Rirattanapong

จุฬาลงกรณ์มหาวิทยาลัย
CHULALONGKORN UNIVERSITY

An Independent Study Submitted in Partial Fulfillment of the
Requirements
for the Degree of Master of Arts in European Studies
Inter-Department of European Studies
GRADUATE SCHOOL
Chulalongkorn University
Academic Year 2022
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ลักษณะและวิวัฒนาการสิทธิผู้พิการในสหภาพยุโรปและชาติอื่น ๆ ในยุโรป



สารนิพนธ์นี้เป็นส่วนหนึ่งของการศึกษาตามหลักสูตรปริญญาศิลปศาสตรมหาบัณฑิต
สาขาวิชายุโรปศึกษา สหสาขาวิชายุโรปศึกษา
บัณฑิตวิทยาลัย จุฬาลงกรณ์มหาวิทยาลัย
ปีการศึกษา 2565
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Independent Study Title	The Disability Rights Movements in the EU and Europe
By	Mr. Theerawut Rirattanapong
Field of Study	European Studies
Thesis Advisor	Associate Professor BHAWAN RUANGSILP
Thesis Co Advisor	Professor Martin Holland

Accepted by the GRADUATE SCHOOL, Chulalongkorn University in
Partial Fulfillment of the Requirement for the Master of Arts

INDEPENDENT STUDY COMMITTEE

.....	Chairman
(Associate Professor CHAYODOM SABHASRI)	
.....	Advisor
(Associate Professor BHAWAN RUANGSILP)	
.....	Thesis Co-Advisor
(Professor Martin Holland)	
.....	Examiner
(Associate Professor NATTHANAN KUNNAMAS)	



จุฬาลงกรณ์มหาวิทยาลัย
CHULALONGKORN UNIVERSITY

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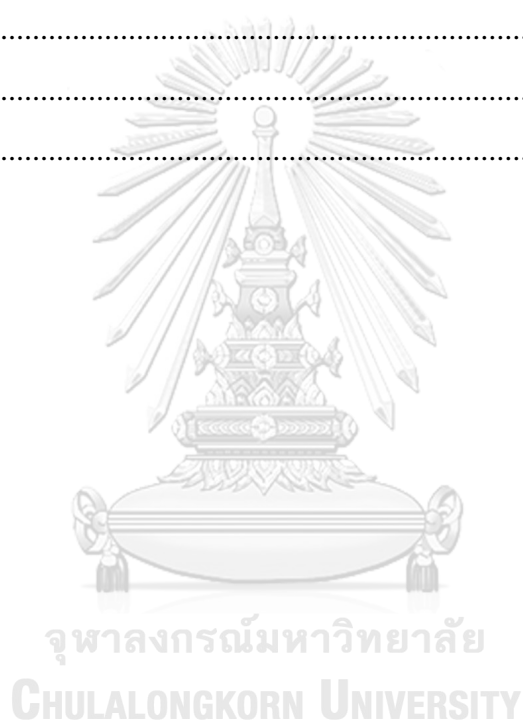
I would like to express my profound gratitude to my research advisor Professor Dr. Martin Holland of the University of Canterbury for the time and effort he kindly provided throughout the duration of the research. I appreciated your kindness and your consideration to take me in as your advisee student for this research. Your advice and guidance are invaluable to my completion of the project.

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Theerawut Rirattanapong

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Research Objectives

The study will explore the social movements on disability rights in selected nations which are also Member States of the European Union. A thorough scrutinization of the origins, the characteristics, and the methodology of the disability rights movement will be conducted in accordance with the following criteria.

1. To familiarize the context and the origins of the disability rights movement in Europe and relating the movement back into the global trend of activism
2. To assess the strategy undertaken by the member of the demographic, disability rights activists, and other advocates such as public information, demonstration, or protests to advance the cause of disability rights and normalization of disability in the general society, this is in order to determine the effectiveness of the movement as an agent to enforce a social or political change in the policymaking process.
3. To observe the formation of discourse surrounding disabilities in the aftermath of the movement, as well as the normalization of disabilities in the wake of other ongoing social movements in Europe, namely the LGBTQ, environmentalist, or feminist movements in 21st Century Europe.
4. To examine the methodology and the effect of the lobbying effort from the activist, political, and the European NGOs sectors in the advancement of disability rights.
5. Lastly, to scrutinize the political and legal dimensions of the handling and implementation of disability rights through the highly unique rule-of-law mechanism of the EU, in a sense of an observation of the laws, amendments, and socio-economic initiatives undertaken by the European Union or national government(s) to improve the conditions under the auspices of the rule-of-law governance of the organization, as well as its effects on the life of the PWDs.

movements it supposedly studied. Those trends implied that academics currently possessed little knowledge regarding how the social movement led by the interest groups and their allies materialized themselves in the last twenty years. Subsequently, the relative lack of research on this topic is a critical concern in this field of study, researchers ought to have a better understanding of the very group they were observing in relation to the policy-making processes to improve the conditions and integrate this very group of the underprivileged into the larger society.

Further research can be conducted to investigate the following aspects in greater detail. Firstly, past works, dialogue, and coordination made by organizations involved ranging from official actors in the European Commission's Directorate-General for Employment, Social Affairs, and Inclusion (DG EMPL), European NGO actors such as the European Disability Forum (EDF), or Inclusion Europe themselves are an interesting actor, and are worthy enough to be a subject of study on its own in the future. Secondly, the characterization of the disability rights movement throughout the various phases of history, such as how each group operated, their history in lobbying, cooperation, and asserting direct action with or against the states and the intergovernmental institutions are often an overlooked field in academia. In contrast, the political and legal after-effects of such actions are well-documented and those can be utilized to evaluate the public satisfaction of the implementation of the public demand themselves. Thirdly and lastly, the influences that the disability rights movement may possess to sway public opinion and the administration of the EU in the legislation of laws in support of persons with disability, as well as to devote additional focus on the disability rights movement and the normalization of disability in European culture. Such research could greatly contribute to identifying the mode of discrimination and the concerns of the disadvantaged groups that the policymakers must consider to improve the life of persons with disabilities not only in Europe, but also in the rest of the world.

The criteria for the questionnaire respondents are briefly outlined in the prior paragraph, although there are several other eligibility criteria which need to be further delineated. Overall, the eligibility criteria would include the respondent who fit the following characteristics: being around 18 years and older, be an EU national or resident who are currently residing in the EU or the continent proper, and possessing conditions that could be either legally or medically qualified as a person with disabilities per the United Nations' definition. The questions featured in the questionnaire will include both the mandatory questions and optional questions, the latter of which the respondents can opt out from due to the potentially sensitive or otherwise distressing nature of the question. Consequently, the data without the optional answers will be accounted for during the analytical phase of the research for its nature, regardless there will be some questions at the beginning of the questionnaire that will instantly end the questionnaire should the participants answer that they do not live in the EU's Member States, whose submission(s) will not be included.



political measures undertaken by the governmental and intergovernmental actors should also be explored in tandem with the social movements to evaluate the trend of social movement as a vector for political, social, and cultural transformation.

Lastly, the processed data will be once again categorized in accordance with the outlined theories and critical frameworks before it is completed. Hypothetically speaking, the information will be sorted across the timeframe and the location, this is to reflect the discursive formation throughout the time and how discourse on disability shifted and evolved up until the present day. Coincidentally, the theme of the research will also be created. The spirit of the research will be centered around the formation and evolution of the discourse surrounding disability, from the initial theme of demand to acknowledge their existence in the public healthcare, inclusion into general society as a socioeconomic equal in education and workforce, and lastly in the strive for inclusion amidst the ongoing calls for social justice in the 21st Century.



late 1990's up until the present day fit the definition. To elaborate, the movement is a concentrated effort of people, ranging from the activists, the NGOs, sympathizers, and the PWDs in a mostly urban background, who, after exposure to modernization and economic prosperity, attempt to caused change in society, politics, and culture whether is it a drastic or gradual change to accommodate their needs (ibid, p.498). Mladenov's study (2016) also observed a substantial application of social justice theory and practices found in several disability rights movements or in disability rights studies scholarly circles in the 21st Century, especially since the 2020's, which is a result of interaction with and diffusion of ideas between disability and gender vis-à-vis the framework of intersectionality. To elaborate, intersectionality is an analytical framework in the field of social science. Originally developed to approach feminism and social exclusion, the framework utilized the multidimensional identities of a person to examine discrimination and empowerment (Atewologun, 2018). The framework saw a widespread adaptation to fit the social model of disability among academics and experts in the field as a supplementation to social justice. The notion of social justice calls for parity in resources and opportunities in society, within the context of disability social justice are commonly invoked as an argument for the transformation of both public policies and societal attitudes to facilitate and normalized acceptance of persons with disability in the larger society, which is a dominant school of thoughts in many organizations and academic circles today.

The 2020's saw several disruptions taking place, especially the COVID, which the Commission had written in the synthesis report (2021) that the group has been "hit disproportionately hard by the COVID-19 virus itself, by measures to contain its spread and to protect health systems and by non-inclusive methods by which countries have sought to permit life to continue" and lamented that persons with disabilities make up an unclear yet disproportionate number of casualty. In the same report (ibid, pp. 6-7), it is documented that the European Disability Forum had criticized the EU for paying no attention to disability rights, evidently found in the arguably failed measures such as institutionalization, which contribute to high mortality rate⁶ among PWDs from 38 percent to as high as 51 percent of the total recorded death from the Coronavirus disease as of September 2021.

⁶ See Crowther (2021, September), specifically in the chapter "3.2 Data on mortality among people with disabilities connected to COVID-19" for additional data on COVID-19 mortality among people with disabilities in 2021.

civil society and their American counterparts, this is when the discussions of disability rights in Europe shifted from healthcare and social services into equality and the principle of non-discrimination (ibid, p.37). Subsequently, by the end of the 1990's Europe had the power to supersede the prevalent medical model of disability in favour of the social model and enact anti-discriminatory measures through the supplementation of initiatives with legal basis.



duration of time through pension or lump sum payment. For this research, the policy designed by the governments of Austria, Malta, and Ireland will be briefly examined as a case studies.

Disability benefits in Europe typically have a prerequisite or criteria for qualification in the scheme, the conditions and strictness often varied in each Member States. For example, the government of Austria defined disability on quantitative degree and declared “a person is considered disabled if their degree of disability is at least 25 per cent” (Government of Austria, 2023). On the other hand, the government of Malta simply stated that the applicant must be 16 to 60-year-olds and currently suffering from diseases or impairments to be eligible (Public Service of Malta, 2023), while the Republic of Ireland (Government of Ireland, 2023) had no qualitative requirement existed to as a criterion at all, which were substituted in favor of income test to determine the adjustable payment rate.

Allowances and stipends for PWDs in the EU are commonly regulated by the state at variable rate to accommodate the varied characteristics of disability and severity. For instance, in Malta the weekly rate for common physical disability has no minimum rate but only the upper ceiling at €90.59 or €116.12 for those with visual impairment, as well as the fixed €174.80 stipend for severe disability (Public Service of Malta, 2023). benefits are not necessarily a weekly or monthly payment in many cases, but also as a tax break or a waiver of their medical or public transportation expense. Meanwhile, in Ireland the weekly rate started at €220.00 and one can apply for extra payment to their dependents (Government of Ireland, 2023). Nevertheless, in Austria’s (2023) case the pension would be individually calculated in a case-by-case basis and no uniform rate exist. The system is often specifically tailored by governments to cover the basic needs and expenses in the recipients’ daily life were not meant to be a substitute to income from employments, which were condition for disqualification or reduction of the received benefits to incentivize PWDs into gaining employment. Regardless, recurring complaints are widespread among PWDs and their able-bodied family and close one alike that the stipends are neither adequate to cover their independent living expense nor it is easy to become employed as a person with disability in the first place.

terms of genders, seven respondents identified themselves as a man, three as a woman, and three as a non-binary individual. As for disabilities, those identifying as having multiple disabilities and physical disabilities shared the same amount and percentage of respondents, at five people or 38.5 percent of all responses, followed by sensory at two responses or 15.4 percent of the total number, and then mental disability at a single response or 7.7 percent.

Subsequently, all respondents will be hitherto referred to with the anonymized / pseudonymized identity of “person A” to “person M” with their respective country of origin as another identifier (if available) to protect their identity after their participation in the research. As the survey is broken up into multiple sections, the results of the survey will be reported according to each respective section.



Opinion on the civil rights movement and how can the EU do more for the PWDs?

The second section, which is titled “Disability rights as a social movement” in the online questionnaire’s subtopic, mostly consist of inquiry toward the respondents’ opinion on the disability rights movement, and on the general public awareness on the movement or participation in the campaign of the movements.

Questions found on this section can be roughly divided into three categories: that of a linear scale, yes-no questions, and a short query on the effectiveness of the disability rights movement to campaign for the improvement of disability rights.

To summarize the findings in this specific section, respondents were mixed, but slightly leaned positive on the prospect of the improvement in general society’s attitude toward persons with disabilities. Furthermore, many of the respondents stated that they had taken part in activism in one way or the other such as attending demonstrations or taking part in social media campaigns, and many also considered themselves updated on disability-related topics in the news and other media. However, opinions on the disability rights movement are a mix of optimism and slight skepticism toward its effectiveness. For examples, person C from Finland thought that “[I think] they have done a good job informing the politicians about these issues”, Person J from Germany also stated that “Disabled [*sic*] stood up now, speaking on their own behalf, changing their status thus from objects of interest to self-confident subjects. That, in my opinion, is a great improvement.” However, Person H from France replied he “have only noticed changes for the worse in the past 30 years.”



- Activism in European Countries – A Comparative Analysis. *Disability Movements: National Policies and Transnational Perspectives* 53(1), 103-138.
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<https://eugenicsarchive.ca/discover/world/51c2795697b8940a5400000f>



Appendix

Original Online Questionnaire Form

The Situation of Disability Rights in Europe: A Survey

You are invited by a postgraduate student of the Interdisciplinary Department of European Studies, Master of Arts (M.A.) in European Studies (MAEUS) program, Chulalongkorn University, Bangkok, Thailand to participate in the survey titled "The Situation of Disability Rights in Europe: a Survey". This survey will be used to evaluate the condition or the quality of life for persons with disabilities (PWD) living in one of the 27 current Member States of the European Union and optionally also from those living in the non-EU European Countries. The information you provided will not be used for any other purpose than what is originally stated, which is to gather information for academic research. For further questions, you can contact the researcher and the owner of the survey directly through his email address (6584008320@student.chula.ac.th) or his academic supervisor on the project Dr. Martin Holland, University of Canterbury in the following email address (martin.holland@canterbury.ac.nz).

We would appreciate your consideration to complete the survey. The survey contained 19 questions in total, consisting of 16 mandatory and 3 optional questions and the survey is divided into five sections. This survey should take approximately five to ten minutes to complete, which in turn depends on the length of your input. (Content Warning: some questions in the survey are of sensitive nature as it would discuss topics such as discrimination, such questions will be marked with a boldened italics content warning at the header).

Your responses are entirely voluntary and will be confidential. Responses will not be identified on an individual basis, instead it will be pseudonymized to protect your identity. All responses will be compiled and analyzed for research purposes only.

* Indicates required question

General information (location)

*****We have ensured that the questions in this section will not lead to personal identification, as we greatly valued your personal anonymity and privacy. Your personally identifiable data (PII) will not be collected in this survey in compliance with the EU's General Data Protection Regulation (GDPR) and other equivalence in the other nations. Data submitted will remain strictly confidential and will only be anonymously utilized for academic purposes only. *****

1. Are you a resident or a citizen of one of the 27 Member States of the European Union or otherwise a resident / citizen of other non-EU European countries? *

Mark only one oval.

- ☐ Yes
- ☐ No
- ☐ Non-EU European countries

General information (continued)

*****We have ensured that the questions in this section will not lead to personal identification, as we greatly valued your personal anonymity and privacy. Your personally identifiable data (PII) will not be collected in this survey in compliance with the EU's General Data Protection Regulation (GDPR) and other equivalence in the other nations. Data submitted will remain strictly confidential and will only be anonymously utilized for academic purposes only. *****

2. **(For those answering "yes" or "non-EU European country")** which country are you from?

3. What is your gender? *

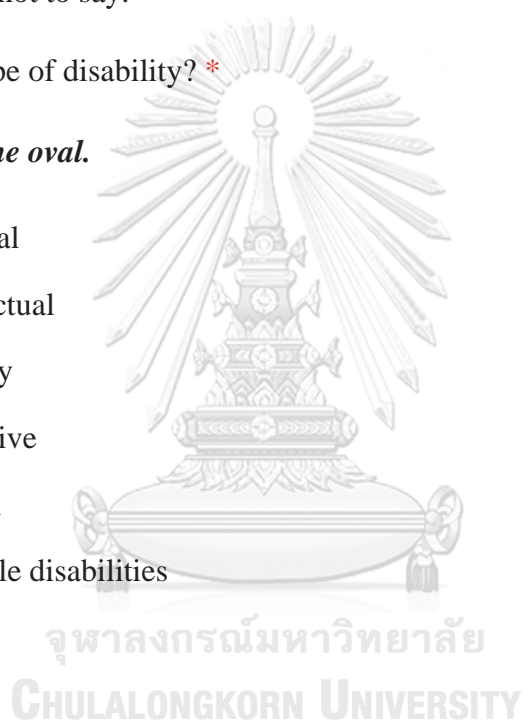
Mark only one oval.

- ☐ Male
- ☐ Female
- ☐ Nonbinary
- ☐ Transgender
- ☐ Prefer not to say.

4. What is your type of disability? *

Mark only one oval.

- ☐ Physical
- ☐ Intellectual
- ☐ Sensory
- ☐ Cognitive
- ☐ Mental
- ☐ Multiple disabilities



12. (OPTIONAL - If you wish not to answer then you may proceed to the next question, this is entirely optional) Please describe the frequency of the occurrence and the nature of the discrimination.



VITA

NAME	นายธีรวุฒิ ธีรตันพงษ์
DATE OF BIRTH	9 มีนาคม 2542
PLACE OF BIRTH	กรุงเทพมหานคร ประเทศไทย
INSTITUTIONS ATTENDED	ปริญญาตรี อักษรศาสตรบัณฑิต จุฬาลงกรณ์มหาวิทยาลัย (22 มิถุนายน พ.ศ. 2565)
HOME ADDRESS	ห้อง 1016, ชั้น 10, จามจุรีเรสซิเดนซ์ อาคารจัตุรัสจามจุรี, ถ. พญาไท, แขวงปทุมวัน เขตปทุมวัน กรุงเทพฯ 10330

