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Active Citizenship for persons with disabilities – Findings from selected European countries

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Abstract

This working paper serves as part of the background for the next step in DISCIT; linking the analytical framework for DISCIT and results regarding institutional arrangements.

We will first briefly clarify what we mean by a multi-level perspective and multilevel governance. Against, this background we point to some thematic areas and issues that are of particular significance to cover in the interviews with other informants.

We move on to give an overview of what existing European statistics tell us about similarities and differences in disability-specific policies and provisions in Europe and more specifically, the nine countries under study. We identify some interesting relationships in these data, as well as weaknesses of the disability-statistics available so far. We point to what direction the production of such statistics need to move to correct such weaknesses.

This Deliverable makes mainly two points. First, at this stage of the DISCIT project it is necessary to use the planned interviews with other informants as source of a better understanding of the multilevel dynamics of policies of significance for Active Citizenship for persons with disabilities. Second, while the increasing cross-national disability statistics have a great potential for knowing more about the conditions for Active Citizenship, there are notable limitations that needs to be taken seriously if the statistics are to play an important role in the monitoring and assessment of progress towards full and effective Active Citizenship for persons with disabilities in Europe.
Table of Contents

Abstract ........................................................................................................................................... 2
1 Introduction.................................................................................................................................. 3
2 Why focus on decision-making and implementation of disability-related policies in a multilevel European system? ............................................................................................... 5
3 What relevance can multilevel governance have for the enhancement of Active Citizenship for persons with disabilities in Europe? ...................................................................................... 8
4 What do existing European statistics tell us about cross-national similarities and differences in disability-specific policies and provisions of relevance for Active Citizenship? ................. 10
Concluding remarks ...................................................................................................................... 29
References ..................................................................................................................................... 29

1 Introduction

This working paper is part of a first attempt to draw together the main insights and results from DISCIT on the topic of the conditions for enabling persons with disabilities to exercise Active Citizenship in a comparative and multilevel European perspective. Our aim is to link the analytical framework for DISCIT and results regarding institutional arrangements and policies impacting the main dimensions of Active Citizenship, seen in the context of a multi-layered system of governance and implementation. As a result of this analysis, we will be better positioned to give comprehensive and detailed answers to these questions:

- How do disability-specific policies and provisions of a strategic selection of European countries handle the challenge of ensuring favourable conditions for Active Citizenship?

- How do such policies and provisions take into account and accommodate the individual preferences, experiences and preferences of persons with disabilities?
How do the relationships between European, national, local and individual levels and interactions between country-specific arrangements impact the scope for Active Citizenship, as experienced by persons with disabilities?

The diverse materials that will enter into and be linked and synthesised in the analysis are still emerging:

- A set of thematic reports summarising existing knowledge and comparing available findings on institutional arrangements and the situations of women and men with disabilities in the nine countries under study (CH, CZ, DE, IE, IT, NO, SE, Serbia, UK).

- A set of comparative and coordinated life course interviews with three birth cohorts and women and men with four different types of disabilities in these nine countries (The interviews are carried out but the analysis is still in progress).

- A set of comparative and coordinated interviews with other informants (experts, representatives of main stakeholders and their organisations, including organisations and networks of and for persons with disabilities, both covering the European level and each of the nine countries (the interviews are under preparation and will be completed by March 2015).

In this working paper we will first briefly clarify what we mean by a multi-level perspective and multilevel governance. We move on to give an overview of what existing European statistics tell us about similarities and differences in disability-specific policies and provisions in Europe and more specifically, the nine countries under study. Against, this background we point to some thematic areas and issues that are of particular significance to cover in the interviews with other informants. We also identify some weaknesses in the disability-statistics available to far and point to what direction the production of such statistics need to move to correct such weaknesses.
2 Why focus on decision-making and implementation of disability-related policies in a multilevel European system?

Recently we have generally seen a growing interest for adopting a multilevel perspective on policymaking and implementation and mores specifically for issues related to “multilevel” governance” in Europe. This interest emerged in response to the widespread belief that the sovereignty, power and steering capacity of the nation state have weakened. In brief, the argument is that some of the state’s traditional decision-making power has dispersed upwards to the European level and downwards to the subnational level, creating a room for “political rule beyond hierarchical authority and subordination” (Olsen 2010: 56). As a result, decision-makers at the nation level experience a greater need to engage in processes of discussion and negotiation (1) with authorities at subnational or supranational levels and (2) with non-public actors and entities, for the purpose of reaching agreements on political goals and ways to achieve them, sharing information, mobilising resources and coordinating practical efforts. Such less directive processes of policymaking, regulation and implementation are at the core of governance, as we will use the concept here.

Governance has a vertical as well as a horizontal dimension. To simplify, one can say that to the extent that we focuses on the vertical dimension – the processes of discussion and negotiation to achieve consensus, coordinated efforts or collaboration of actors (entities) across different territorial levels – we are dealing with multilevel governance. The concept of multilevel governance has only a history of couple of decades and is still under rapid development. Most scholars see Gary Marks (1993) as the one who first coined the term ‘multilevel governance’ and then in the context of research on the EU structural policy. While the analysis of multilevel governance has widened out to include both issues of global policy coordination and intra-national policy integration and coherence, studies related to development in the European Union still play a dominant role.

Significantly, parts of the European Union administrative apparatus were early to embrace concepts of governance and more specifically, of multilevel governance, and to adopt it as means to define the desirable future functioning of the European Union. For instance, in its 2001 white paper on European Governance, the Commission took as point of departure that many European citizens experienced disenchantment, distrust and distance vis-à-vis the EU. The paper then outlined how aspects of governance could open the European policy-making process to get more people and organisations involved. The EU was to achieve this goal, among other steps, by stronger direct interaction and systematic dialogue between the EU and regional and local governments and civil society in member states, (i.e. through multilevel governance).
The Commission defined governance as “rules, processes and behaviours that affect the way in which power is exercised at European level, particularly as regards openness, participation, accountability, effectiveness and coherence” (European Commission 20001, p. 5, footnote). The Commission expressed great confidence in the potential gains of improved governance, as well as in the commitment for “concerted action by all the European institutions, present and future Member States, regional and local authorities and civil society” (ibid., p.6), to make this a reality. While the Commission required a “multilevel partnership” in which national governments involve their regions and cities fully in European policy-making (ibid. p. 9), the Union has also to build its own partnerships and rely on a wide variety of actors (ibid. p. 27). The final vision of the paper was “a Union based on multilevel governance in which each actor contributes in line with his or her capabilities or knowledge to the success of the overall exercise” (ibid. p. 29).

While multilevel governance had faded off the screen when the Commission presented its 2003 follow-up report on European governance, particularly the European Union Committee of the Regions (CoR) picked multilevel governance up and became a strong promoter of the concept. CoR published a white paper on multilevel governance in 2009 (CoR 2009) and a follow-up report and in 2011, adopted a Charter for Multilevel Governance in Europe 2014 (CoR 2014a) and launched a campaign for signatures for the Chapter in May 2014 (CoR 2014b).

Especially the 2009 white paper has strong normative undertones, arguing for instance that multilevel governance must be based on “mutual loyalty between all the various levels of government and the institutions to reach common goals” (CoR 2009: 8). Moreover, a comparison of the Commission’s definition of multilevel governance with CoR’s definitions makes it clear that the latter shifted towards a stress on subsidiarity and proportionality, that is, respect for the distinct functions of regional and local governments. In 2009, CoR defined multilevel governance as:

“… coordinated action by the European Union, the Member States and local and regional authorities, based on partnership and drawing up and implementing EU policies” (CoR 2009)

A couple of years later the CoR had consolidated this definition:

“… coordinated action by the EU, the Member States and regional and local authorities according to the principles of subsidiarity, proportionality and partnership, taking the form of operational and institutionalised cooperation in the drawing-up and implementation of the European Union's policies” (CoR 2011 & 2014).
Overall, the concept of multilevel governance has both descriptive and normative uses within the EU system, partly to highlight steps to open up and involve more diverse actors and entities in EU policy-making, partly to signal expectations about the other actors’ commitment and loyalty. The documents mentioned assign the most explicit role for multilevel governance in relation to implementing cohesion, environment and energy policies, and in general terms, a role in implementing the Europe 2020 flagship initiatives. We find, however, a striking lack of explicit references to multilevel governance as means and to strengthen efforts to fight exclusion and promote full and effective participation of disadvantaged groups, for instance among persons with disabilities. This gives reasons to ask whether the academic literature on multilevel or network governance has done better.

Given the CoR’s strong engagement with the concept, it is perhaps not so surprising that we find the greatest number of scholarly studies of multi-level governance in the field of regional, cohesion or structural EU policy (e.g. Marks 1993; Borras 1998; Bache 2004; Bauer & Börzel 2010; Benz & Eberlein 2011; Nadalutti 2013; Stephenson 2013). While especially the European Social Fund is highly relevant for the fight against social exclusion, hardly any publication of EU regional policy has brought out this aspect. Frequent contexts for the analysis of multilevel governance are environment policy (Fairbrass & Jordan 2004; Kern & Bulkeley 2009; Wälti 2010) and economic policy (Perraton & Wells 2004; Enderlein 2010).

Only a few publications have systematically investigated multi-layered linkages between actors, organisations or governments in the domain of social policy or the combatting of social exclusion. First, to the extent that such studies exist, they have investigated linkages between actors and organisations at different territorial levels. Some studies have focused on linkages between the EU and national governments (e.g. Ferrera 2005: 131-8; Ferrera 2009; Frazer and Marlier 2013; Sabel & Zeitlin 2008), or between national and subnational governments (E.g. Graser & Kuhnle 2008). A few studies have dealt with direct relationships between the EU and the subnational level of member states (e.g. Atzmüller 2009; Burgoon 2010; Viso 2010; Vranken 2010). Second, a small number of studies have addressed cases of shifting divisions of responsibility between actors or entities at different territorial levels involved in poverty alleviation measures (e.g. minimum income arrangements and related social services; e.g. Mabbett & Bolderson 1998; Kazepov 2010; Kazepov & Barberis 2013; Reis 2014).

Against the lack of research on policymaking and implementation in multi-layered systems that explicitly investigate policies and provisions to combat social exclusion and enhance full and effective participation of persons with disabilities on an equal basis with others, DISCIT has set itself the task of contributing to this field of research.
What relevance can multilevel governance have for the enhancement of Active Citizenship for persons with disabilities in Europe?

In relation to enhancing Active Citizenship for persons with disabilities, policies and provisions decided at the national level of European states have a key role. National governments also determine the legal and financial frameworks for many of the services that are the responsibilities of subnational or local authorities. Yet, subnational or local entities can have considerable leeway or discretion in judging how they interpret and apply this frameworks, which specific providers (public, private or voluntary) to engage in delivery of services and how to prioritise between the various tasks that follow from national legislation or mandates (see examples, see for instance D4.1, D4.2 D6.1).

Moreover, many countries have seen the decentralisation of even formal responsibilities for operative decision-making, to variable extent within a New Public Management logic of steering through objectives and reporting. All in all, the actual setting of conditions for exercising Active Citizenship by persons with disabilities can to considerable extent happen at the local level. The DISCIT research team have gained insights on the diversity of such local processes through reviews of existing research and key policy documents and the comparative life course interviews carried out in 2014. An important goal for the forthcoming interviews with experts, administrative and organisations leaders and other informants is to gain more detailed knowledge about the division of labour between national and subnational levels in disability policy and the degree of coordination of goals and efforts between these levels, and what impact these features of the multi-layered policy system have on the three dimensions of Active Citizenship for persons with disabilities.

The EU-level mainly influences the conditions for persons with disabilities exercising Active Citizenship through “social regulation”, and more specifically, by the legislation for the internal market and the specific legislation related to equal treatment, non-discrimination and accessibility. National governments and courts are, however, playing important roles in the implementation and enforcement of this legislation. The market-related EU-legislation regarding the coordination of social security provisions has great significant for the possibilities of persons with disabilities to exercise European Active Citizenship by being mobile as workers, consumers and residents in other member states (Waddington, forthcoming). Moreover, the EU is a party to the UN Convention on the rights of persons with disabilities and this does also give the EU a role in enhancing the implementation and monitoring of implementation in its member states. In addition, the EU have had a series of disability policy strategies built on the principles of open method of coordination and the exchange and dissemination of best practice and policy learning.
across member states. Through the strategies, the Commission is committed to the empowering of people with disabilities to enjoy their full rights, and removing everyday barriers in life. The current strategy’s priorities have great relevance for several aspects of Active Citizenship for persons with disabilities, as reflected in the DISCIT WPs topics:

“1. Accessibility: make goods and services accessible to people with disabilities and promote the market of assistive devices.
2. Participation: ensure that people with disabilities enjoy all benefits of EU citizenship; remove barriers to equal participation in public life and leisure activities; promote the provision of quality community-based services.
3. Equality: combat discrimination based on disability and promote equal opportunities.
4. Employment: raise significantly the share of persons with disabilities working in the open labour market.
5. Education and training: promote inclusive education and lifelong learning for students and pupils with disabilities.
7. Health: promote equal access to health services and related facilities.
8. External action: promote the rights of people with disabilities in the EU enlargement and international development programmes”

For these reasons, another key objective for the forthcoming interviews with experts, administrative and organisations leaders and other informants is to gain more detailed knowledge about the division of labour between the European and national levels in disability policy and the degree of coordination of goals and efforts between these levels, and what impact these features of the multi-layered policy system have on the three dimensions of Active Citizenship for persons with disabilities.

4 What do existing European statistics tell us about cross-national similarities and differences in disability-specific policies and provisions of relevance for Active Citizenship?

European statistics related to disability are undergoing a significant renewal and expansion. As an outcome, we see emerging more statistical findings and indicators of relevance for the Active Citizenship for persons with disabilities. In this sense, the emerging broader sets of data appear to have a great potential significance for the DISCIT project. Yet, the statistics that have become available so far have also important weaknesses and gaps from an Active Citizenship perspective. Some results are intriguing and give reason to be concerned about the validity, reliability and cross-national comparability of the statistics. There is even a risk that some of the cross-national differences in results are the product of challenges of a methodological nature, and not of real differences in the situation of persons with disabilities in the countries in questions.

In this section, we will illustrate some of the perplexing findings we get through a closer look at some of the aggregated data published by Eurostat – more specifically data from the 2011 European Labour Force Survey and the EU-SILC Surveys and they results we get by combining data from these two key sources of cross-national disability-related data.

For instance, in the work package 8 of DISCIT on fiscal innovation we are interested in the extent to which existing income maintenance arrangements for persons with disabilities create “poverty traps”, that is, situations where people get locked into poverty because of the way in which such arrangements are constructed and how they interact with tax system (Deliverable 8.1). From other research, we know that means-tested social benefits are more likely to create poverty traps than non-means-tested social benefits. There are substantial differences between European in what role means-tested benefits play in the overall disability-specific social benefits system, as illustrated by the differences we find between the nine countries where DISCIT carry out empirical work (Fig. 1). But if we in different ways try to see how the share of means-tested disability-related benefits are related to the risk of poverty and social exclusion among persons with disabilities in European countries, we find no clear or consistent pattern. In other words, it is not the case that the higher the share of means-tested benefits, the higher the risk of poverty and social exclusion.
This somewhat surprising finding may reflect a reality but one may also wonder whether the responsible agencies in the participating countries have interpreted the concept of “means-testing” differently. We know from other experience that some staff in national statistical agencies have interpreted all disability-specific income maintenance provisions as “means-tested”, on the basis of lack of understanding of the contrast between rights-based categorical social insurance provisions, based on medical and other certification of reduced earnings capacity, and means-tested provisions, based on an income or even asset testing. Or staff may have the misguided impression that persons with disabilities per definition are unable to work and earn money, and therefore “without means”.

By contrast, we will see that the share of spending related to disability-specific “benefits in kind” (usually services of some kind) of total spending on disability-specific social benefits are related to differences in poverty and exclusion risk and employment participation of persons with disabilities. Again there are substantial differences between the DISCIT countries in this share (Fig. 2)-
In this case, one can for instance imagine that a high share of total benefits given as “benefits in kind” are related to a priority of services or other supports to assist persons with disabilities to live independently (Fig. 3) or strengthening their work-relevant knowledge and skills.
“Assistance in carrying out daily tasks: practical help provided to disabled people to assist them with daily tasks. Home help is included in this category, as well as the payment of an allowance to the person who looks after the disabled person.” (ESSPROS Manual 2011, page 46)

Sources of data: Eurostat Social Protection database

Furthermore, there are strong reasons to believe that there are substantial differences between states how much they spend on disability-specific social protection benefits – not only because some countries are richer than others – but also because of the total resources they have available, some countries give higher priority to this purpose than other countries do. A country’s Gross Domestic Product (GDP) is a crude measure of the total resources that a country has available in one particular year. The proportion of GDP spent on a particular purpose is a similarly a crude indicator of the “policy effort” of this country in relation to this purpose. Again, there are considerable variations of the percent of GDP that the DISCIT countries spend on disability-specific social benefits (Fig. 4).
When we start looking more closely at the ways in which different European countries’ spending are related to other traits or characteristics of these countries, including how large proportion of their population who report that they have some or severe activity limitations (as a crude proxy of having a disability), we find some intriguing patterns or tendencies. For instance, there appears to be a fairly strong association between how much a country spends on disability benefits and how large proportion who report activity limitation. At the same time it is difficult to understand that there are really so striking contrasts between European countries in how large proportion who have such activity limitation. Could it be that it is not only the proportion of the population with activity limitation that influence the level of disability-spending but also that the opposite could be the case; that the level of spending indirectly may affect the proportion who report having an activity limitation? If so, we need an idea of what the underlying mechanisms could be. The next page presents one possible model of this kind of two-way relationship.

Sources of data: Eurostat Social Protection database
Possible underlying mechanisms behind surprising cross-national contrasts and tight clusters of correlations in comparative sectional European disability-related statistics

Our idea is that people with a real activity limitation may find it more meaningful to define themselves as having a disability when they see that it can make a difference in their lives if they make active use of their rights to social benefits.

The following scatter plot diagrams show the relationships between country traits we get by combining aggregate data from the 2011 LFS and the EU-SILC. Such bivariat correlations that the diagrammes show do not lend themselves to strict cause-effect inferences. Still they are interesting and can serve as basis for more detailed statistical analysis, preferably based on large samples of longitudinal (dynamic) micro (individual) data. Most of the diagrammes are compatible with the reasoning behind the model of underlying (and unobserved) mechanisms.
Sources of data: Eurostat disability database
Fig. 6 suggests that there is a statistical correlation between how large proportion who define themselves as having an activity limitation and the level of spending on disability spending, while Fig. 6 indicates the larger proportion of a population who defines themselves as having an activity limitation, the lower overall risk of poverty and exclusion among persons with activity limitation. Conversely, Fig. 7 suggests that the larger proportion of population who define themselves as having an activity limitation, the higher the overall employment participation in this group.

Sources of data: Eurostat disability database
Sources of data: Eurostat disability database
Sources of data: Eurostat disability database
Sources of data: Eurostat disability database  

The relationships between spending levels and employment participation and poverty and exclusion risks we find in Fig. 8 and 9 are similarly possible to understand in the light of the model of underlying mechanisms.
Sources of data: Eurostat disability database
Figure 11: Employment rate of persons with activity limitation by benefits in kind share of total public spending on disability-specific social benefits

Sources of data: Eurostat disability database

Figures 10-12 suggest that countries with a higher level of spending on disability benefits tends to have a higher benefits in kind share and that having a high such share may or may not have a positive impact on employment rates and poverty and social exclusion risk. The same applies to Figures 13-15 regarding the situation of young people with disabilities.
Figure 13: Proportion early school leavers with difficulty in basic activity, by benefits in kind share of total public spending on disability-specific social benefits

Sources of data: Eurostat disability database
Figure 14: Proportion of young people with difficulty in basic activity neither in employment, education nor training, by benefits in kind share of total public spending on disability-specific social benefits

Sources of data: Eurostat disability database
Figure 15: Tertiary educational attainment of young adults with difficulty in basic activity, by benefits in kind share of total public spending on disability-specific social benefits

Sources of data: Eurostat disability database
Sources of data: Eurostat disability database
Sources of data: Eurostat Social Protection database

Figures 16-17 switches to how giving a priority to non-discrimination and that this again can contribute to the apparently positive relationship between non-discrimination and positive labour market outcomes. The findings are compatible with the model of underlying mechanisms.
Concluding remarks

This Deliverable has mainly made two points. First, there is at this stage of the DISCIT project necessary to use the planned interviews with other informants as source of a better understanding of the multilevel dynamics of policies of significance for Active Citizenship for persons with disabilities. Second point, while the increasing and broader cross-national European disability statistics have a great potential for knowing more about the conditions for Active Citizenship, there are still weaknesses that needs to be taken seriously and corrected if the statistics are to play an important role in the monitoring and assessment of progress towards full and effective Active Citizenship for persons with disabilities in Europe.

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