

# Ensuring Diversity Representation Through Political Participation: A Comparative Case Study on Challenges and Opportunities Regarding the Political Participation of Persons With Disabilities

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## 1. Introduction

The creation of participation opportunities in different areas of society is the basic goal of all inclusion efforts. While ensuring participation in education, working life, leisure activities as well as in the health system are widely discussed and considerable successes have been achieved in raising awareness for these issues, the political participation of persons with disabilities appears to be a rather marginalized topic that receives little attention.

Looking at today's political developments, great care should be taken to create opportunities for the political participation for all societal groups. One proposed solution to counteract the increasing rates of non-voters are more elements of direct democracy, in order to allow for more citizen participation in the political process. However, these possibilities must then be open and accessible to all citizens, regardless of personal characteristics such as migratory background, gender, age, level of education or impairment. While making for more participation opportunities is difficult in general, persons with disabilities face further problems at different stages of the political process: a lack of accessible news media and information materials (e.g. party programs), reduced accessibility of the premises in which political discourse takes place, as well as experiences of discrimination and the upfront denial of their ability to engage in political activity.

This article will therefore focus on opportunities and challenges when aiming to foster the political participation of persons with disabilities. With

the The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), and in particular Article 29, there is an international treaty which demands participation also in the political sphere and which must be implemented by different levels of governance. This discussion of the UNCRPD as the international basis for participation will be preceded by a clarification chapter in which political participation is defined. I will also discuss the expanding spectrum of political participation and the opportunities and/or barriers that new forms of participation (online platforms, social networks, etc.) present for persons with disabilities.

The main part of the paper will consist of the results of a comparative research project on the political participation of persons with disabilities at the regional level in South Tyrol (Italy) and Bavaria (Germany). Citizens perceive regional-level politics to be closer to the realities of their daily lives, political processes are more accessible in a low-threshold way, and participation can be more resource-friendly (both time-wise, personal, and financially). Both regions are economically strong and – at least theoretically – could offer sufficient resources for the creation of participation opportunities and also for the implementation of innovative approaches. There are some differences in the duration of national-level experience with de-institutionalisation and school inclusion processes, which were initiated in South Tyrol as early as the late 1970s, through progressive political actors at the national Italian level. In South Tyrol, there has been no exclusion of persons with disabilities from the right to vote since then; in Germany, such exclusionary practices still existed up until recently, but were declared unconstitutional by the Federal Constitutional Court on 21 February 2019. In both case studies, data was collected by analyzing official documents and conducting qualitative structured interviews with stakeholders. Subsequently, the data was analyzed by means of thematic analysis (Braun & Clarke, 2006), and common issue areas, including similar problems or claims, were distinguished.

## 2. Political Participation

### 2.1 Political Participation According to Article 29 UNCRPD

With Article 29, the UNCRPD contains a section devoted exclusively to the topic of political participation. The introductory text states that the “full and effective” political participation of people with disabilities must take place “on an equal basis with others”; measures must be taken to enable “full and effective” participation. Of particular interest for this article is the demand for the right “to effectively hold office and perform all functions at all levels of government”, which also obliges decision-makers at regional and local level to participate in the implementation of Article 29.

Persons with disabilities should not only become involved in disability-specific organisations, but should also be able to participate in party politics (“participation [...] in the activities and administration of political parties”). The results of the interviews suggest that there are major differences in the self-awareness and identification of persons with disabilities active in politics, which then also affect the decision to participate as self-representatives or as party members. The main distinction that can be made is whether wanting to work on disability-related issues was the decisive reason for political engagement, or whether one became politically active for other reasons and later took on disability policy through experience as an *expert in one's own cause*. However, all politically active people share the same spectrum of traditional and new opportunities for participation that is theoretically open to them; nevertheless, barriers specific to impairments can arise. The next chapter will therefore refer to a general definition of political participation and different forms of participation and discuss their implications for people with disabilities.

### 2.2 Traditional and New Forms of Political Participation

The Bundeszentrale für politische Bildung (German Federal Agency for Civic Education) offers a broad definition of political participation, encompassing a variety of forms:

In democratic states, the voluntary participation of citizens in political life in the broadest sense in order to influence decisions. Participation can take place in many ways: through participation in elections, referendums, through participation in political parties, interest groups, citizens' initiatives, in the pupils' council, in the parents' council, in the senior citizens' or foreigners' council of the community, etc. (2011; author's translation)

The definition is relatively open, and speaks of "political life in the broadest sense"; the aspect of being able to influence decisions is crucial, underlining the agency of all persons involved in decision-making processes. Anne Waldschmidt (2015, pp. 684–685) mentions the three meanings of participation: "to be part of something", "to take part in something", and "to have a part in something". This distinction ties in with the three different aspect of politics (polity, policy, and politics) (Waldschmidt, 2015, p. 685), also often mentioned as the core triad of political science. *Polity* refers to the form or institutional aspects, e.g. the system of government; *policy* refers to political content and goals, while *politics* refers to the political decision-making process. The combination of the different aspects of participation and the subdivision of politics has been very well chosen - in order to create full and effective political participation, all aspects of participation as well as all dimensions (polity, policy, politics) must be taken into account and included in change processes.

With the increased importance of new media for political opinion-building and the distribution of news, new technologies may also be used to create further opportunities for political engagement. One example would be online platforms as instruments to ensure citizens' participation in consultation processes prior to legislative procedures; such a platform was set up, for example, in the drafting of the South Tyrolean regional law "Participation and Inclusion of Persons with Disabilities", which was passed in 2015. The platform was set up by the administration, and served as an opportunity for citizens to openly collect ideas. However, non-institutionalized participation processes are also increasingly taking place through the use of new media. Social networks, such as Facebook, provide a networking opportunity for activists and a low-threshold contact point for people who are politically interested but perhaps not yet engaged, and wish to step from a bystander into a more active role (Crepaz, 2018). For persons with disabilities, the

accessibility of a form of communication is also always an important issue. Web-based participation possibilities could therefore be very beneficial for those with reduced mobility, while visually impaired activists note that most websites are still not optimized for speech output and are therefore more of a participation barrier than an opportunity.

Both traditional and new forms on the participation spectrum can be looked at from two sides: First, the institutionalized side, where forms of participation and processes are usually installed and shaped top-down by regional or local levels of governance (e.g. elections and electoral campaigns, drafting of legislation). Second, there is a non-institutionalized type of political participation, mainly coming bottom-up from the engagement of civil society (activists, self-representation organizations, civil society). Both types of participation processes are not mutually exclusive and can also depend on each other, e.g. the influence of a successful protest movement could make citizen involvement in the parliamentary legislative process possible. Theocharis and Van Deth (2018, p. 24) distinguish different “modes” of participation as follows: voting, campaign activities, and contacting officials or politicians are part of the institutionalized spectrum (referred to here as top-down), while protest and new social movements and social or civic participation form the non-institutionalized modes (the bottom-up spectrum).

It is important to note that institutionalized and non-institutionalized forms of participation, as well as traditional and new forms, complement each other. Traditional forms of political participation, such as elections or direct contact with politicians, are unlikely to be replaced by new web-based forms, at least in the near future. Therefore, we cannot observe a shift in the forms of political participation, but rather an expansion of the spectrum of political participation.

### 3. Results of the Comparative Research Project

The aim of this section of the paper is twofold: first, to provide an overview of the recurring topics identified through the thematic analysis (Braun and Clarke, 2006) of the interview data, and second, to supply these topics with further content by granting enough room to the testimonials from those in-

involved themselves. The qualitative structured interviews were conducted in South Tyrol and Bavaria between July 2018 and February 2019 and include different types of experts with and without disabilities (e.g. heads of administration, politicians, self-representatives, party members) working on disability policies. Interview requests were sent to all political parties represented in the Regional Parliaments (Landtag) of South Tyrol and Bavaria; responses and interest were unfortunately quite unevenly distributed, meaning that some parties appear more frequently than others, and a complete picture cannot be provided. To protect the confidentiality of the interviewees, only function or position denominations will be given.

### 3.1 Creating Participation Opportunities as a Challenge

A very common topic in the interviews in both case study regions was the challenge of creating participation opportunities. Both structural barriers and a lack of political will were addressed:

Participation does not happen because a person with a disability sits in the room and is physically present, but it always requires suitable, adapted ways in the right framework for this to happen. [...] these are still one-off stories that depend on the sensitivity of individuals, but it has not yet been implemented in the overall structure of the processes. (Senior administrative staff, Office for People with Disabilities, Regional Administration South Tyrol; author's translation)

This statement makes clear that the framework conditions for functioning participation processes must also be kept in mind. Following Waldschmidt's (2015) linking the aspects of participation with the areas of polity, policy and politics mentioned earlier in this paper, opportunities for participation must always be created and implemented taking all three areas into account. Starting at the institutional level in order to consistently implement a disability mainstreaming approach for regional decision-making could be a first step to overcoming this challenge.

### 3.2 Discrepancies between Inside and Outside Perceptions of Participation

If the first difficulty, namely creating participation opportunities at all, has been overcome, questions of the concrete design of participation processes arise. The interviewees criticize that the participation granted to persons with disabilities is often not participation in the sense of the UNCRPD, as it does not include any decision-making powers.

There has been a lot of advertising, and the regional councillor has done a lot of advertising for having worked participatively. [...] For me, the whole thing was very much an action that remained on the surface. (Member of the Regional Parliament, Green Party, South Tyrol; author's translation)

The quote focuses on the participatory process leading to the South Tyrolean Inclusion Law of 2015. The Green Party, represented in the Landtag (regional parliament) in South Tyrol as an opposition party, criticise that stakeholders were diminished to bystanders instead of being active policy-makers. This problem is underlined by the fact that often there are no persons with disabilities involved in decision-making processes:

I always find it very questionable when I come to discussion groups or when I sit in front of people who are not disabled themselves during the discussions on the Bundesteilhabegesetz [Federal Participation Act, author's comment]. [...] [name removed] who was the SPD's inclusion commissioner in Berlin, told us: we also did not ask the employees when it came to employee issues and not the women when it came to women's issues – we know all about those issues ourselves. No, they cannot know about persons with disabilities, persons with disabilities themselves must be involved in these groups and meetings, who can report from their experiences and understand how it feels, a non-disabled person cannot understand that. (Regional Chairwoman of SelbstAktiv, SPD; author's translation)

The problem that people talk about and not with persons with disabilities was frequently mentioned in the interview data. The principle of “nothing about us without us” as the leitmotif of the disability rights movement is con-

tradicted through such a way of proceeding, and Article 29 UNCRPD also demands the direct participation of persons with disabilities themselves in political decision-making processes.

### 3.3 Participation – Charity or Human Right?

The next issue raised directly builds on the above-mentioned lack of direct involvement in decision-making processes: participation, inclusion, and the entire field of social topics are still often looked down on as charitable proposals, while in fact they are all rights anchored in the UNCRPD.

The social question is still seen as a charity issue. [...] In South Tyrol we talk more about voluntary work instead of civic engagement like in Germany, that's something completely different; I criticize this choice of words. (Former head of the Social Affairs Department, South Tyrolean regional administration; author's translation)

The choice of terminology is particularly interesting here: voluntary work, even more so in its German denomination of Ehrenamt, doing something honorable, implies a charity-based concept of care. In contrast, civic engagement underlines the role of persons with disabilities as citizens, who have a right to participate in political processes, and who must be supported in exerting this right.

### 3.4 Availability of Information and Education as Prerequisites for Participation

In order to be able to make a well-founded electoral decision and also to have a voice in political processes, citizens must be able to inform themselves about the political system, the goals of different parties, and the political decision-making process. Again, the three dimensions of polity, policy and politics are the important structuring pillars that need to be kept in mind when aiming to foster participation.

The two case studies differ quite significantly in the provision of information on political topics for persons with disabilities. While in Bavaria,

electoral programs different formats (easy-to-read, sign language) have come to be part of the standard materials prepared before elections, in South Tyrol there is still some catching up to do. For the regional elections 2018, only two parties also provided their electoral program in Easy-to-Read Language, and none offered additional accessible materials, such as sign language videos or an audio version of the party program.

There are no homepages that inform about politics in easy language. It would also be important that there are a few pages in easy language about politics in the daily newspaper, so that people can be informed and have their say. (Self-representation group People First South Tyrol, author's translation)

Especially for persons with learning difficulties, represented in South Tyrol by the self-representation group People First, there are often difficulties in obtaining accessible information. People First South Tyrol therefore published an information brochure for the regional elections, explaining the political system as well as the elections in Easy-to-Read Language. The brochure proved to be very popular, not only among persons with learning disabilities; it was also widely used for civic education in schools, and for providing information on the political system to migrants whose German or Italian skills were still low. This underlines the necessity for a shared approach to diversity policies, in which collaboration possibilities could be identified. While People First's brochure represents an interesting approach, there are also other impairment-specific difficulties in accessing political and electoral information:

Unfortunately, there is not a single conference hotel or conference venue in Germany that is really geared to the needs of persons with disabilities, [...] and I mean not only wheelchair accessible but with induction loop, just as suitable for the blind and visually impaired as for Thalidomide [Contergan, author's comment] damaged persons [...] that could be a place where special also political education for persons with disabilities could take place. (Regional Chairwoman of SelbstAktiv, SPD; author's translation)

This quote illustrates one of the main problems in creating political participation for persons with disabilities: even though a certain homogeneity is often portrayed in the media, persons with disabilities are a very heterogeneous group. They have very different needs and resources, e.g. when it comes to obtaining information on political topics. New technology and social media could provide a solution to some of these accessibility issues, at least to a certain extent:

Together with the Friedrich Ebert Foundation we give online seminars [...] We do this in person, but also online, because we have so few opportunities to meet somewhere accessible. The seminars are relatively well attended, but these are seminars with a small chat room with 20 people, otherwise there would be too many. (Regional Chairwoman of SelbstAktiv, SPD; author's translation)

A barrier-free accessible online information service, which also offers opportunities for interaction (such as the mentioned chat room), could therefore be a resource-saving measure available for offering online political education.

### 3.5 Discrimination and Prejudice as Obstacles to Participation

The interviewees frequently mentioned that their ability to be active in politics, or their competence for decision-making was often seen as limited due to their being a person with a disability:

We always have the problem, for example, that if mentally disabled persons are interested in participating, people say you can't work with them, you can't rely on them when it comes to party work, not when it comes to direct campaigning or working with potential voters. (Regional Chairwoman of SelbstAktiv, SPD; author's translation)

Through the effect of these prejudices, a lack of competences and personal capabilities is often attributed to persons with disabilities based on their impairment. In order to be able to exercise their right to political participation,

stereotypes and prejudices against persons with disabilities also have to be part of an active disability policy.

### 3.6 Self-Identification, Group-Identification and Group-Attribution

Persons with disabilities are a heterogeneous group, and therefore also have different types of self- and group-identification, which may become dominant in different contexts. The interview data revealed an interesting result: For those who have become politically active in the context of party politics, self-identification as persons with disabilities was usually not the decisive factor for political action. Rather, it was identifying with a certain party or a certain group within the party (e.g. the Jusos as the SPD's youth organization, or a party's women's organization) that prompted them to get involved. On the other hand, those working in self-representation organizations identify primarily as persons with disabilities; the wish to get engaged on disability politics and to better represent persons with disabilities in decision-making processes was decisive for getting politically active. Persons who became engaged in politics through political party work are often reluctant to occupy disability policy as one of their topics. They often only take it onto their political agenda after realizing that addressing the topic is a necessity, and that they might be the most appropriate person to tackle the issue because of their own experiences.

*After all, I didn't start politics because I wanted to make disability policy, but because I wanted to be in politics. Disability policy was then a vehicle, a possibility, a necessity, because at that time it did not exist at all. (Local politician Nuremberg, SPD; author's translation)*

For a long time, the topic of inclusion was one that I didn't even want to occupy [...] as soon as you're in the city council and there's a need to occupy a topic, and you somehow have the feeling that I'm the one who has the most to say on that you do occupy this topic after all. [...] I always found this horrible before, because I actually saw it as being reduced to my wheelchair. And I also never had this special life course, I went to the regular school after attending

a kindergarten for the physically handicapped. (City councilor Nuremberg, SPD, author's translation)

The mention of educational background as an important factor for self-identification is interesting – as someone who went through the 'normal' school system, identification as a person with a disability is not their main identification framework. However, when it came to working politically on the topic of disability, the interviewees became active on the issue, despite initial reluctance. They did not want to leave the policy field and subsequent agenda-setting powers to persons who did not have own experiences with disability.

## 4. Conclusion

In the UNCRPD, the right to political participation is outlined as a human right, which must be implemented by decision-makers at all levels of governance (local, regional, national, European). Nevertheless, participation processes often still do not take the form envisioned by Article 29, namely "full and effective participation".

The first issue in implementation is the lack of a consistent disability mainstreaming approach. This needed to take persons with disabilities' interests into account across policy areas and at different stages of the policy-making process, bringing stakeholders to the negotiating table during planning as well as implementation. Such an approach may be resource-intensive, but it is vital for creating truly participatory decision-making processes, in which those directly concerned have their say. The challenge of taking societal diversity into account and integrating it into political processes is not only posed in the field of disability, but also, for example, in fostering the political participation of persons with a migratory background.

Another important obstacle to participation is discrimination. If society still regards persons with disabilities as incapable of being political actors or of holding office as a public representative, getting engaged and successfully making one's way through the political system is likely to be very difficult. Societal awareness of persons with disabilities and the resources they possess must be raised, moving away from a deficit-oriented to a more

capability-oriented perspective. Once participation possibilities have been established, persons with disabilities may take part in politics for different reasons. Identifying as a person with a disability could play an important part in this decision, especially when someone becomes active through a self-representation organization. However, there might also be other principal reasons for getting involved, such as self-identification e.g. as a social-democrat; persons who have been socialized politically in party contexts often do not primarily perceive themselves as representatives of persons with disabilities, and only gradually take on the topic of disability policy as “experts in their own cause”.

As something applicable to different motivations for engagement, new media may create increased participation opportunities for persons with disabilities in different contexts. It may do so through offers for political or civic education, and chat rooms for communication and discussion; in any case, they must be rendered accessible for persons with different types of impairments, and there are still considerable shortcomings in turning new media into barrier-free tools for communication. In principle, however, new media enable participation and information, and reduced mobility, a slower learning or reading speed, or simply a restriction to a certain timeframe no longer need to have a negative or impact on possibilities for information and discussion. New technologies could make it possible to participate in a more resource-friendly and accessible way if they are sensibly designed, but they cannot (at least for the time being) replace participation in traditional forms of participation. The aim must therefore be to make the entire spectrum of political participation more accessible, low-threshold and largely barrier-free.

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