

Barriers to realising disabled people's rights in the postsocialist region of Central and Eastern Europe

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Intro: CIL – Sofia

In 2000, I started working with the Centre for Independent Living – Sofia (CIL – Sofia), a Bulgarian disability rights organisation founded and led by the disabled activist Kapka Panayotova. Ever since, I have been an ally of the disability rights movement, although I have not (yet) identified as disabled. I owe much of my understanding of disability rights to Kapka.

Theorising barriers to disabled people's rights

The ideas that I will now discuss are grounded in these encounters with disability activism. These ideas have resulted in a series of publications, including articles, chapters, a monograph published by Routledge in 2018.¹ In my analysis of the barriers to the realisation of disabled people's rights in the postsocialist region of Central and Eastern Europe, I have also drawn on disability studies, Nancy Fraser's theory of social justice, and critical studies of postsocialism. I will now say a few words about each of these theoretical influences. I will then present my analysis.

By 'disabled people's rights' I mean the rights codified in the UN CRPD and explained in the General Comments of the CRPD Committee. I regard the CRPD as an authentic product of disability activism, including activism from the Global South. That said, I am aware of the decolonial critique of the human rights paradigm. This critique has been prominent in disability studies over the last 15-20 years. However, I will not discuss it here – I have done this in a recently published paper co-authored with Ina Dimitrova.

Disability studies

¹ These publications are:

- Mladenov, T. (2015) 'Neoliberalism, postsocialism, disability', *Disability & Society*, Vol. 30, No. 3, pp. 445-459.
- Mladenov, T. (2016) 'Disability and social justice', *Disability & Society*, Vol. 31, No. 9, pp. 1226-1241.
- Mladenov, T. (2017) 'From state socialist to neoliberal productivism: disability policy and invalidation of disabled people in the postsocialist region', *Critical Sociology*, Vol. 43, No. 7-8, pp. 1109-1123.
- Mladenov, T. (2018) *Disability and Postsocialism*. London: Routledge.
- Mladenov, T. and Petri, G. (2020) 'Critique of deinstitutionalisation in postsocialist Central and Eastern Europe', *Disability & Society*, Vol. 35, No. 8, pp. 1203-1226.
- Mladenov, T. (2021) 'Disability assessment under state socialism', in K. Kolářová and M. Winkler (eds) *Re/imaginings of Disability in State Socialism*. Frankfurt: Campus Verlag.
- Mladenov, T. (2021) 'Gender, sexuality, and disability in postsocialist Central-Eastern Europe', in K. Fábíán, J. E. Johnson and M. Lazda (eds) *The Routledge Handbook of Gender in Central-Eastern Europe and Eurasia*. London: Routledge, pp. 530-537.
- Dimitrova, I. and Mladenov, T. (2023) 'Decolonising disability in contexts of illiberalism and social abandonment: the case for a double-edged critique from the postsocialist margins', *Critical Sociology*. DOI: 10.1177/08969205231191651

Disability studies conceptualises disability from a social-constructionist perspective, as something imposed on people by society. This approach to disability has most famously been associated with the social model of disability, although other ideas have also been influential, including the Independent Living paradigm (liberalism and mutualism), as well as poststructuralist and post-Marxist concepts of the kind espoused by Critical Disability Studies.² In a nutshell, the social-constructionist perspective on disability illuminates harms experienced by people with impairments due to certain barriers resulting from social structures, processes, and discourses. These barriers can be economic, cultural, and political in character.

Nancy Fraser's theory of social justice

The distinction between economic redistribution, cultural recognition, and political representation has been developed by the critical theorist Nancy Fraser in her theory of social justice. Very briefly, for Fraser (1996, 2005), social justice means 'parity of participation', and parity of participation requires economic redistribution (reallocations of economic outputs, but also workers' control), cultural recognition (valorising difference, emphasising commonality, or deconstructing difference), and political representation (participation in ordinary-political, but also in meta-political decision-making).

The postsocialist context

The postsocialist context creates a number of barriers to the realisation of disabled people's rights. These barriers emerge from the *intersection* between the state socialist order and the postsocialist neoliberal order in the economic, cultural, and political dimensions. Simply put, we in present-day CEE have had the worst of both worlds – the world of socialism, and the world of capitalism. Our socialism was much more undemocratic than Western European social democracy, and our capitalism was much more neoliberal than Western European capitalism (even in its Thatcherist English version). In addition, our neoliberal capitalism articulated with our state socialist legacies, producing intersecting harms. These harms may not be unique when taken in isolation, but when taken together, they outline the unique physiognomy of profile of the postsocialist situation in CEE.

Postsocialist disability matrix

To understand the barriers to the realisation of disabled people's rights in the postsocialist region of CEE, I have used an analytical tool that I called 'postsocialist disability matrix'. It combines (1) disability studies' social-constructionist conceptualisation of disability with (2) Fraser's three-dimensional theory of justice, and (3) critical studies of postsocialism. This 'matrix' illuminates the intersecting impact on disabled people in CEE of state socialist legacies and postsocialist neoliberalisation in each of Fraser's three dimensions of social justice.

In brief, the barriers to rights inherited from state socialism include segregated service provision, a medical-productivist framing of disability, and weakened disability organising (among others). On their behalf, postsocialist reforms have created new barriers including retrenchment of public support, overvaluation of self-sufficiency, and depoliticisation of disability organising (again, among others). We thus have intersecting barriers to the realisation

² Critical disability studies 'acknowledges the potency of foundational materialist analyses that became known as the social model of disability' (Goodley et al, 2019: 976) but also goes beyond Marxist analyses of disablement to incorporate 'postconventionalist, poststructuralist, postcolonial, feminist, queer and crip theories' (Goodley et al, 2019: 974).

of disabled people’s rights in all three dimensions of social justice identified by Fraser – the economic, the cultural, and the political.

Postsocialist disability matrix (based on Mladenov [2018: 100])

	State socialist legacies	Postsocialist neoliberalisation
Economic redistribution	<i>segregated service provision</i> (e.g., residential institutions for social care)	<i>retrenchment of public support</i> (e.g., direct and indirect cuts)
Cultural recognition	<i>medical-productivist framing of disability</i> (e.g., medical-productivist systems for disability assessment)	<i>overvaluation of self-sufficiency</i> (e.g., the discourse of ‘welfare dependency’)
Political representation	<i>weakened disability organising</i> (as an instance of the more general suppression of the political public sphere)	<i>depoliticisation of disability organising</i> (e.g., nudging towards service provision; tokenistic participation)

Economic redistribution

Let me first consider state socialist segregated provision and postsocialist welfare state retrenchment as intersecting (i.e., mutually reinforcing) barriers to rights in the dimension of economic redistribution.

State socialist countries invested significant public funds into residential institutions for social care (asylums, closed psychiatric hospitals, care homes), which mushroomed throughout the CEE region during the state socialist period.³ After the fall of state socialism in 1989-1991, the rise of poverty and the welfare state retrenchment that started in the 1990s increased the number of children and adults in these settings, while the living conditions there ‘drastically deteriorated’ (World Bank, 2003: 24). Welfare state retrenchment also meant inadequate investment in community-based services precisely at a time when the demand for such services was increasing.⁴

Against this background, the so-called deinstitutionalisation reforms, supported by the EU through its Structural Funds since the beginning of the 2000s, have largely amounted to renovating existing institutions or to building new, smaller institutions such as ‘small group homes’. In brief, postsocialist deinstitutionalisation amounted to re-institutionalisation. The entrenched practices of channelling public funds towards segregated provision, inherited from state socialist disability policy, have persisted during the postsocialist period and have been compounded by newer processes of neoliberal welfare-state retrenchment, where benefit cuts and failure to provide community-based support have increased the demand for institutional care, as well as informal support.

Of note here is also that the increased demand for informal support has been part of the postsocialist retraditionalisation of society, in which the family, and within the family – the

³ Tobis (2000: 11) estimated that at the beginning of the postsocialist period, there were 790,000 children with and without impairments living in residential institutions in CEE and FSU, as well as 364,500 older disabled people in care homes in FSU alone (Tobis, 2000: 11).

⁴ Towards the middle of the 2000s, there were still 1.2 million disabled people living in residential institutions in 25 European countries (Mansell *et al.*, 2007: 25). In this sample, ten of the fifteen top-ranked countries according to the rate of institutionalisation in large institutions (with over 30 places) were former socialist states.

mothers and grandmothers – have assumed increasing responsibility for the care of children, disabled people, and elderly people. Such processes of retraditionalisation under neoliberalism have been studied in the feminist literature as instances of ‘neoliberal neopatriarchy’.

Cultural recognition

In the dimension of cultural recognition, the intersecting barriers to disabled people’s rights I have considered are state socialist medical-productivist conception of disability, and postsocialist overvaluation of self-sufficiency.

Following the Soviet blueprint, state socialist countries in CEE adopted centralised systems for disability assessment, based on a ‘medical-productivist’ approach in which a medical diagnosis was associated with a degree of decreased ability to work. This approach reduced disabled people to ‘deficient’ body-minds and ‘inefficient’ resources (Mladenov, 2011) and enhanced the misrecognition of disabled people in all areas of life, from the family to the school and the factory.

Long after the fall of the state socialist regime, in many (perhaps most) postsocialist countries of CEE, the management and understanding of disability has continued to be dominated by medical professionals and medical-productivist categories, as the Labor-Medical Expert Commissions in Bulgaria testify. This framing of disability has been compounded by the neoliberal overvaluation of self-sufficiency and the attendant stigmatisation of public assistance, underpinned by the discourse of ‘welfare dependency’.⁵ When citizenship requires self-sufficiency, the people framed as functionally deficient and economically inefficient (‘deficient’ body-minds and ‘inefficient’ resources) are bound to be perceived as second-class citizens.

Of note here is that the over-valuation of self-sufficiency did not increase the independence of disabled people in the postsocialist CEE. This is because Independent Living is not about self-sufficiency but about support that maximises choice and control in their lives, including choice and control over the support they receive. Therefore, considering Independent Living in terms of self-sufficiency amounts to misusing the term and is sometimes used to legitimise retrenchment of public support. Accordingly, Independent Living is diminished by (1) lack of support, (2) support provided within segregated, institutional settings, and (3) support provided informally, within the family. The third point suggests that the postsocialist revival of the patriarchal family has diminished opportunities for Independent Living in concert with postsocialist overvaluation of self-sufficiency, retrenchment of public support, and continuing provision of segregated support.

Political representation

In the dimension of political representation, postsocialist disablement has consisted in the systematic weakening of the capacities for self-organising of disabled people. The well-known suppression of disability organising during state socialism was a function of the more general suppression of the political public sphere, where civil society entities (charities, associations,

⁵ Two examples: Alexiu *et al.* (2015: 37) have reported that the staff members in Romanian employment agencies regarded the provision of welfare support to disabled people as ‘feeding dependency’. The justification accompanying the Bulgarian Law on State Budget of 2016 clearly stated that freezing of benefits would decrease ‘dependency on state assistance’ (Grigорова, 2016: 10).

self-help groups, and even trade unions) were either disbanded or reconstituted as extensions of the state.⁶

The weaknesses of disability organising, inherited from state socialism, were partly and temporarily offset by the general increase of disability activism in the aftermath of 1989. A wave of dissenting, critical, and counter-cultural initiatives emerged in the 1990s and the first half of the 2000s. However, subsequent chronic underfunding of advocacy since the mid-2000s has nudged many of these postsocialist disability organisations towards service provision, thus depoliticising civil society initiatives. This process has been underpinned by the neoliberal model of civil society development, identified by David Harvey (2005: 177) as ‘privatization by NGO’.⁷ In this model, civil society is framed as privately funded/supported provider of services that fills in the gaps in social support opened up by welfare state retrenchment.

In addition, postsocialism has been characterised by institutionalising participation in disability policy-making through national consultative bodies such as ‘disability councils’, following the model of ‘tripartism’ (a form of corporatism where representatives of the state, business and labour get together to negotiate economic policy). Tripartism in disability policy making has encouraged consensus-oriented initiatives and marginalised conflict-oriented ones. The members of the consultative bodies – the biggest disability organisations, some of them with deep roots in the state socialist past – have been reluctant to engage in campaigning and critique. Instead, they have been careful to preserve their privileged position on the table that, in some cases (as the Bulgarian one), has included government subsidies.⁸

The matrix and the uniqueness of the region

The analytical framework that I presented here, the ‘postsocialist disability matrix’, enables a comprehensive, systematic, and historically grounded analysis of the barriers to the realisation of disabled people’s rights in the postsocialist region of CEE. Taken in isolation, the different barriers (such as institutionalisation of disabled people, medicalisation of disability, retrenchment of support, etc.) are not unique to the region, but as they are considered together in the ‘matrix’, a unique physiognomy emerges that illuminates the specificity of postsocialist disablement.

Current issues

The understanding of the barriers to realising disabled people’s rights in CEE needs to also consider more recent issues such as deepening social abandonment amidst multiple and intersecting crises in Europe. Instances of such an abandonment include discrimination of disabled people at medical triage during the COVID-19 pandemic; reductions in community supports and intensification of institutional confinement during pandemic lockdowns; neglect

⁶ Rasell and Iarskaia-Smirnova (2014: 6) point out that the socialist state: ‘silenced alternative viewpoints and largely curtailed any disability politics or activism. Independent organisations of disabled people were not permitted, even for welfare purposes, and press censorship prevented open discussions of conditions in residential institutions and failures in state disability provision.’

⁷ ‘The NGOs have in many instances stepped into the vacuum in social provision left by the withdrawal of the state from such activities. This amounts to privatization by NGO. In some instances this has helped accelerate further state withdrawal from social provision.’ (Harvey, 2005: 177)

⁸ Such developments have been identified in a number of postsocialist countries. For example, Holland (2008) looked at disability activism and non-governmental organisations (NGOs) of disabled people in the Czech Republic, Hungary, Poland, and Slovakia; Fröhlich (2012) explored disability NGOs in Russia; and Mladenov (2009) analysed the participation of disabled people’s organisations in policy making in Bulgaria in the 2000s.

or abusive institutional treatment of disabled people during the ongoing war in Ukraine; and deprioritising disabled people in resource allocation decisions inflected by the rising cost of living. In addition, migration trends have depleted domestic capacities to provide support in some Central and Eastern European countries such as Romania, Bulgaria, and Serbia. This is compounded by creeping illiberal sentiments legitimising an increasing reliance on informal care that restricts the self-determination of both disabled people and women (mothers), who are their usual supporters.

The new generation of disability activists in CEE are therefore confronted with the task of affirming disabled people's rights and utilising the CRPD in the context of lingering barriers created by intersecting state-socialist and postsocialist legacies. These barriers are compounded by the more recent trends towards increasing social abandonment amidst multiple crises and creeping illiberalism.

Thank you for your attention!