
Autonomy and Paternalism. Understanding Austrian Disability Policy

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Résumé

The nature of a state's welfare policies has a huge impact on the quality of life and the social participation of PWD (people with disabilities). The nature of assistance and services granted by welfare and disability policies in turn depends on the underlying interpretation of or assumptions about disability or PWD (Waddington & Diller 2002). We examine and theorize perspectives regarding autonomy and paternalism using as an example Austria's disability policies and services which need much improvement according to the shadow report of the Austrian Monitoring Committee (2020).

Applying qualitative content analysis, supplemented with elements from discourse analysis, we examine which perspectives are reflected in Austria's disability laws, regulations, and services as well as in their execution and administration. The interpretations of disability vis a vis autonomy/paternalism serve as an analytical lens for the examination of the sources. We describe the nature of these interpretations of disability and elaborate on their historical development as well as their philosophical and ideological underpinnings. The findings show that three perspectives on disability regarding autonomy and paternalism are reflected in Austria's disability policy and services: the medically focused, the libertarian, and the human rights-based.

The first perspective sees PWD as defective since their wage-earning capacity as well as their ability to live fully self-sufficient is often reduced due to impairments. In line with this perspective, segregated workshops and living facilities are fostered. Thus, PWD are paternalistically seen as dependent on society's charity and not as fully autonomous persons. A more libertarian view stresses the right to autonomy by prioritizing formal rights and neglecting assistance, or "special treatment", e.g. in Austria the legal right to be treated as an equal customer but no right to be not confronted with barriers.

Both perspectives are individualizing and ableist. Full self-determination is granted on the basis of functional abilities and the paternalistic dichotomy between dependence and autonomy. Thus, aspects of the Austrian disability policy contribute to the social oppression of PWD. Against this dualism, the disability rights movement has been promoting views that stress the human rights of PWD, the role of environmental barriers, and society's duty to enable PWD to be self-determined, e.g. by providing appropriate benefits and services (Degener 2016). This emancipatory perspective is not individualizing but relational and thus dependence and autonomy are not mutually exclusive (Kittay 2011). Our results highlight in what areas measures are needed to enshrine the progressive perspective.

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