



Disponible en ligne sur www.sciencedirect.com

ScienceDirect

et également disponible sur www.em-consulte.com



Research Paper

Two factors, one direction towards social regulation policy convergence: Learning from policy experts in Norway and India[☆]



Deux facteurs, une direction vers la convergence des politiques de régulation sociale : apprendre des experts en politiques en Norvège et en Inde

Gagan Chhabra

Oslo Metropolitan University, X666 Stensberggata 26, 0170 Oslo, Norway

INFO ARTICLE

Historique de l'article :

Reçu le 6 décembre 2019

Accepté le 1^{er} octobre 2020

Disponible sur Internet le 10 November 2020

Keywords :

Social regulations

Employment

Comparative disability policies

Policy convergence

Norway

India

ABSTRACT

Two significantly different countries such as Norway and India have adopted similar social regulation policies aimed at the employment of disabled people since the 1990s. Countries can adopt social regulation policies, such as anti-discrimination provisions, owing to multiple factors. This article uncovers two common factors leading to policy convergence within social regulation reforms aimed at the employment of disabled people in Norway and India. An exploratory qualitative case study was conducted, wherein 25 policy experts (11 from Norway and 14 from India) were interviewed. Findings from expert interviews indicate that the observed policy convergence are connected to two trends that can be detected both in Norway and India. The first concerns the influence

[☆] This article is a part of a PhD dissertation. Much gratitude is expressed to the policy experts who participated in the study. In addition, I am grateful for the input and advice of Professor Rune Halvors, Associate Professor Åsmund Hermansen, Dr Janikke Solstad Vedeler and Mr Ruben Ræder during the article resubmission.

Adresse e-mail : Gagan.chhabra@oslomet.no

of international treaties; the second concerns grassroots mobilization of disabled people and their organizations. Findings point towards increasing internationalization of social regulation policies and these policy developments transcend the global North and global South divide.

© 2020 L'Auteur. Publié par Elsevier Masson SAS au nom de Association ALTER. Cet article est publié en Open Access sous licence CC BY (<http://creativecommons.org/licenses/by/4.0/>).

R É S U M É

Mots clés :

Réglementations sociales
Emploi
Politiques comparatives du handicap
Convergence des politiques
Norvège
Inde

Malgré leurs nombreuses différences, La Norvège et l'Inde ont adopté des politiques de régulation sociale similaires, visant à l'emploi des personnes handicapées depuis les années 1990. Des pays peuvent adopter des politiques de régulation sociale, telles que des dispositions anti-discrimination, en raison de multiples facteurs. Cet article met en évidence deux facteurs communs menant à une convergence des politiques dans le cadre des réformes de la réglementation sociale visant à l'emploi des personnes handicapées en Norvège et en Inde. Une étude de cas qualitative exploratoire a été menée, au cours de laquelle 25 experts en politiques (11 de Norvège et 14 d'Inde) ont été interrogés. Les résultats des entretiens avec des experts indiquent que la convergence des politiques observée est liée à deux tendances qui peuvent être détectées à la fois en Norvège et en Inde. La première concerne l'influence des traités internationaux; la seconde concerne la mobilisation populaire des personnes handicapées et de leurs organisations. Les résultats indiquent une internationalisation croissante des politiques de régulation sociale et ces développements politiques transcendent la fracture entre le Nord et le Sud.

© 2020 L'Auteur. Publié par Elsevier Masson SAS au nom de Association ALTER. Cet article est publié en Open Access sous licence CC BY (<http://creativecommons.org/licenses/by/4.0/>).

1. Introduction

Globally, disabled people have low employment outcomes and face precariousness within the labour market, and governments adopt redistributive and regulatory policies to promote their employment inclusion (Heyer, 2015). Social regulation policies are designed to “influence the functioning of markets and the behaviour of non-governmental actors, with the goal of promoting welfare policy objectives or human rights” (Halvorsen, Hvinden, Bickenbach, Ferri, & Rodriguez, 2017: 14). There is an emergent trend towards the adoption of social regulation policies, i.e. anti-discrimination provisions in the labour market, across the Global North¹ countries such as Norway (Tøssebro, 2016). A similar policy trajectory has been witnessed in the developing Global South context, such as India (Ahmed, 2015; Bhambhani, 2018), and there is a policy convergence within social regulation reforms aimed at the employment of disabled people for Norway and India (Chhabra, 2019). This article questions policy experts to answer what factors explain the social regulation policy convergence in Norway and India since the 1990s. It follows a pragmatic and time-bounded point of departure, to understand the factors associated with policy convergence from the early 1990s, because prior to this period there were no major social regulation policies, i.e. anti-discrimination provisions within labour markets,

¹ Global North South countries are heuristic constructs, connoting not only geographical divides, but also economic, political, cultural and social disparities. Global North countries are understood as rich, developed, industrialized, having an advanced welfare state, and they constitute a minority world, while Global South countries are poor, developing, industrializing, have an underdeveloped welfare state, and they constitute a majority world (Singhal, 2010).

which could influence the employment situation of disabled people in Norway (Tøssebro, 2016) and India (Chhabra, 2019).

In a broad sense, policy convergence could be understood as the growing similarity of policies over time (Heichel, Pape, & Sommerer, 2005; Holzinger & Knill, 2005), and it occurs at the level of policy goals, content, instrument, outcomes and style (Bennett, 1991). Policy convergence theorists debate the influence and efficacy of different exogenous factors, such as international pressures, and endogenous factors, such as domestic priorities (Knill, 2005; Holzinger & Knill, 2005; Hoberg, 2007). This article, based on an exploratory case study (Yin, 2012), relates to this policy convergence debate by comparing changes within disability policies for two significantly dissimilar countries, Norway and India. It explicates the influence of a specific external and internal factor, which influenced the adoption of social regulation reforms aimed at the employment of disabled people from the early 1990s.

This article is valuable on three fronts. First, it expands the frontiers of policy convergence research as historically it has focused on Global North countries, and countries from Africa and Asia are under-represented (Heichel et al., 2005). Second, there has been a growing interest to compare the social regulation policies adopted to enhance employment equality for disabled people across the European countries (Bickenbach, Ferri, Guillen Rodriguez, Halvorsen, & Hvinden, 2017). However, comparative disability policy research involving countries from the Global North and Global South is scarce (Grech & Soldatic, 2016), and whenever disability policies from the Global South such as India have been analysed, the predominant focus has been on the evaluation of redistributive welfare policies associated with poverty elevation (Singhal, 2010). Third, policy convergence is traced and compared for countries that follow a similar policy making process and are institutionally more alike (Bennett, 1991; Heichel et al., 2005), and there is relatively less research comparing insights from policy experts who operate in differing institutional settings and welfare regimes, which mediates the disability policy learning, formulation and adoption process (Waldschmidt, Sturm, Karacic, & Dins, 2017). Therefore, this article uniquely contrasts expert perspectives from two dissimilar countries, to map factors resulting into social regulation policy convergence.

2. Contrasting the context in Norway and India

The labour market context in Norway and India is significantly different, as it is shaped by distinctive economic, social, cultural, and legal factors, and varying institutional arrangements (see Chhabra, 2019:85–86). In spite of major macro-level differences, the governments of both countries are grappling with the problem of employment exclusion for disabled people in their respective labour markets. The context comparison was exclusively conducted from early 1990s for Norway and India, because this decade brought about a discernible shift towards the popularization of social regulation reforms aimed at the employment of disabled people in both countries (Chhabra, 2019).

Norway is a social democratic welfare state with a generous and universalistic welfare provisioning, and it has a well-funded and centralized public employment agency called the Norwegian Labour and Welfare Administration, which coordinates the implementation of labour market policies (Arnardóttir, Hotvedt, Nousiainen, & Ventegodt, 2018). There is a thriving ecosystem, consisting of active disability organizations, which have a benign and positive outlook towards the political dispensation (Halvorsen & Hvinden, 2009). The labour market in Norway is highly regulated with robust employment protection and high participation rate among the general population (Tøssebro, 2016). However, there exists a disability employment gap wherein 43.8% of the disabled population are employed, versus 74% of the general population (Statistics Norway, 2019). In the last two decades, this disability employment rate has remained stable between 42–45% (Hvinden & Tøssebro, 2016:2). Prior to the 1990s, disabled people were seen as users being catered by the generous redistributive provisions (Tøssebro, 2016). However, since the 1990s, the Norwegian government has focused on enhancing employment participation among vulnerable groups, and there has been a systematic adoption of social regulations. Notable reforms linked to social regulations include the introduction of accessibility and non-discrimination amendments in the Working Environment Act, the passage of Anti-Discrimination and Accessibility Law, the creation of a specific ombudsman for disabled people, and the implementation of the

Inclusive Working Life Agreement, focused in part, to enhance employment inclusion of disabled people (Arnardóttir et al., 2018).

In contrast, India has a protective and less developed welfare state, and there exists no centralized public employment agency coordinating employment policies (Chhabra, 2019). There are many organizations, which are run by and for disabled people (Bhambhani, 2018). These organizations often have a confrontational stance towards the government to adopt and enforce disability policies (Chander, 2016). The labour market is predominantly informal, unregulated and fragmented with a poor general participation rate (Harris-White, 2003), and less than one percent of disabled people are employed in the formal sectors of labour market (Bhattacharya, Agrawal, & Shenoy, 2015). Prior to 1990 there were no nation-wide disability policies that ensured welfare and employment inclusion for all disabled people (Ahmed, 2015). Notable social regulation reforms post 1990 in India included the passage of Persons with Disabilities Act in 1995, which mandated employment quotas in government sector jobs, and facilitated in the creation of the office of Chief Commissioner for Persons with Disabilities to monitor the implementation of regulations. Furthermore, the regulation reforms in the 21st century entailed the launch of the Accessible India Campaign in 2015, and the enactment of the Rights of Persons with Disabilities Act in 2016, which is aligned with the principles and norms stipulated in the United Nation Convention on the Rights of Persons with Disabilities (UN CRPD) (Chhabra, 2019).

3. Theoretical ideas

3.1. Factors associated with Policy Convergence

There are multiple exogenous and endogenous factors that influence policy convergence across countries (see Bennett, 1991:215; Hoberg, 2007:127; Holzinger & Knill, 2005:779). First, a popular exogenous factor influencing policy convergence, is the international harmonization trend. International harmonization entails “legal obligation from international or supranational agreements deliberately agreed by the involved countries in multilateral negotiations” (Knill, 2005:766). It occurs in a top-down manner, wherein national laws and policies are harmonized with international legal obligations stipulated by supranational organizations such as the European Union (EU) and multilateral agencies such as the United Nations (UN). Second, a popular endogenous factor influencing policy convergence is domestic pressure resulting out of grassroots mobilization. Local actors such as active and informed citizens, interest groups and civil society organizations could build advocacy coalitions, which are contingent on “similar policy core beliefs” (Weible & Jenkins-Smith, 2016:22), and undertake collective action. Disabled people and their organizations have successfully built such coalition networks, which operate from below, and they engage in collective action by coordinating their efforts across multiple levels to influence national government policies (Charlton, 1998; Heyer, 2015). There are interaction effects wherein these factors can operate concomitantly. For example, policy actors could be influenced by transnational factors, i.e. international harmonization trend from above, and domestic pressures, i.e. grassroots mobilization from below to bring about cross-national disability policy convergence (see Waldschmidt et al., 2017:181). Furthermore, the influence of such exogenous and endogenous factors on policy formulation and adoption is mediated by institutions and policy legacies (Guy Peters, 2016).

3.2. Institutional Change

Policy convergence is shaped by institutions that undergo gradual, subtle and incremental change over time (Mahoney & Thelen, 2010:15). In order to explicate the two factors contributing to the adoption of social regulations in Norway and India, this article employs the ideas linked to institutional layering and institutional displacement respectively.

Institutional layering involves when new rules are introduced as amendments, revisions and additions over and above and alongside old rules. Institutions are not radically replaced, but alterations take place, which changes the structure (Van der Heijden, 2010). Layers of new policies, rules and agents result into a gradual institutional change (Mahoney & Thelen, 2010). Layering is triggered by “subversives” (Mahoney & Thelen, 2010), who are change agents not working to radically displace, but

Table 1
Characteristics of policy experts.

Characteristics of the Experts	Total	Norway	India
Experts	25	11	14
Gender			
Male	14	7	7
Female	11	4	7
Age			
>40	4	3	1
40–50	4	2	2
50–60	11	3	8
60<	6	3	3
Disability			
Yes	4	2	2
No	21	9	12
Years of experience with disability issues			
≥10	11	4	7
10–20	6	2	4
20≤	8	5	3

gradually alter the institution. They work within the institutional system and follow its expectations. Nevertheless, they change it in a piecemeal manner. Thus, “institutions, both the formal ones within government and the social actors that work with (or at times against) the formal institutions” (Guy Peters, 2016:70) play a pivotal role in the process of policy formulation and adoption.

Displacement refers to the introduction of new rules and the replacement of old ones. Taken-for-granted processes and practises are questioned and replaced by new models (Van der Heijden, 2010). The process of displacement may take place abruptly or in a gradual way, wherein institutions could be changed by agents who are ‘losers’ under the old system (Mahoney & Thelen, 2010:16). New institutions supersede and replace the existing institutions. “Insurrectionaries” trigger institutional displacement (Mahoney & Thelen, 2010:23). These change agents are dissatisfied with the institutional status quo, and work towards the elimination of the institution and its emergent replacement (see an extended overview for types of institutional change and the policy actors triggering it in Mahoney & Thelen, 2010:16–27; Van der Heijden, 2010).

4. Method

4.1. Data collection

This article is based on an exploratory case-study method (Yin, 2012), wherein two significantly different countries are compared to learn more about the factors, which lead to the occurrence of a common outcome, i.e. adoption of social regulation reforms. 25 expert-interviews were conducted between March and December 2017. First, 11 experts were interviewed in Norway, subsequently 14 experts were interviewed in India. The sampling of experts was done in a purposive manner. The experts represented different institutions and the sample included government representatives, heads of disability organizations, disability rights activists, academic researchers, employers’ federations’ members and anti-discrimination agency officials (characteristics of the experts in Table 1). Before commencing the interviews, the appropriate ethical clearances were obtained from the Norwegian Data Protection Official for Research Agency (research project reference number 51653), and consent from the experts was secured. Expert interviews was chosen as a deliberative strategy for data collection, since experts can be viewed as “crystallization points for practical insider knowledge” (Bogner, Littig, & Menz, 2009:2), who could provide process insights linked to policy adoption. Since the experts were promised anonymity, they are only identified by their generic work-profile (Table 2 for the experts’ work-profiles). The expert interviews were based on a semi-structured, topical guide, which was informed by a previously conducted document review. Two topical guides with a relatively similar point of departure were formulated, which guaranteed the comparability of data (Meuser &

Table 2
Work profile of Experts.

Experts Norway		Experts India	
Expert 1	Disability Rights activist/head of disability organization	Expert 12	Disability Rights activist/head of disability organization
Expert 2	Policy implementer (civil servant, mid-level designation)	Expert 13	Disability Rights activist/head of disability organization
Expert 3	Policy maker (civil servant, high-level designation)	Expert 14	Anti-Discrimination official
Expert 4	Disability rights activist	Expert 15	Anti-Discrimination official
Expert 5	Anti-Discrimination official	Expert 16	Policy implementer (civil servant, mid-level designation)
Expert 6	Representative of Employers' Federations	Expert 17	Corporate Representative
Expert 7	Academic researcher	Expert 18	Policy maker (civil servant, high-level designation)
Expert 8	Policy maker (civil servant, high-level designation)	Expert 19	Representative of Employers Federations
Expert 9	Representative of Employers' Federations	Expert 20	Disability Rights activist/head of disability organization
Expert 10	Representative of Employers' Federations	Expert 21	Representative of Employers Federations
Expert 11	Policy maker (civil servant, high-level designation)	Expert 22	Policy maker (civil servant, high-level designation)
		Expert 23	Corporate Representative
		Expert 24	Corporate Representative
		Expert 25	Disability Rights activist/head of disability organization

Nagel, 2009). Topics such as work-history of the expert, employment situation for disabled people, types of disability policies, institutions involved in disability policy formulation and implementation, the influence of factors affecting policy reforms and innovative government policies enhancing employment inclusion for disabled people, constituted the topical guide. The qualitative data collected from the expert interviews was audio-recorded and transcribed.

During the analytical process the focus was on “thematic units, that is passages with similar topics which are scattered about the interviews” (Meuser & Nagel, 2009:35). The data from each interview was manually coded and condensed into categories derived from the topical guide. Subsequently these categories were clustered into comparable themes across interviews. Common themes such as disabled people and their organizations and their driving force for social regulation reforms, and the influence of international institutions such as UN and EU on the domestic disability policy system emerged and were contrasted for both countries.

5. Two factors contributing to policy convergence policy

This section presents empirical findings in the form of selected statements from expert interviews and couches them within the theoretical ideas linked to policy convergence and institutional change. The expert insights concerning convergence within the social regulation reforms aimed at the employment of disabled people in Norway and India can be categorized within two broad groups: convergence brought about by the influence of international treaties, and convergence resulting out of grassroots mobilization of disabled people and their organizations.

5.1. Influence of international treaties

Increasingly, countries operate in an interconnected and interdependent world, as a result there is a need for the existence of international institutions, which “facilitate the shaping of a common response to common problems” (Bennett, 1991:225). Following the international harmonization trend, international institutions are leading to the adoption of similar policies and programmes across

different countries (Holzinger & Knill, 2005:782). The influence of supranational institutions such as the EU and multilateral agencies such as the UN on the social regulation policy development in Norway and India is presented.

5.1.1. Influence in Norway

Many experts highlighted the significance of harmonizing the domestic laws with international obligations. In 1996, European Disability strategy articulated anti-discrimination provisions. This was followed by legally binding adoptions (i.e. the Amsterdam Treaty and the Employment Framework Directive). Based on these social regulation developments at the EU level, experts stated that amendments were made to the Norwegian Working Environment Act in the early 2000s to prevent discrimination and ensure employment equality. Expert 1 (Disability rights activist):

“The EU was the driving force because it had a new directive in 2000 about discrimination in the labour market, which included discrimination against disabled people. . . and then suddenly the Parliament decided to include disability discrimination in the Working Environment Act. . . When the EU can introduce anti-discrimination legislation for disabled people, then Norway also must do that.”

The introduction of anti-discrimination provisions in the Working Environment Act constituted an important feature of social regulation reforms in Norway. In addition to these provisions, experts stated that EU-level regulations governing the accessibility of Information Communication Technology, public transport, and general environment made the issues of accessibility important policy priorities in Norway. This is exemplified by Expert 5 (Anti-discrimination official):

“So, there are many directives especially when it comes to universal design of buses, different transportation, how to form buildings and information and communication technology.”

Many experts assessed that the social regulation policies trickle down from the supranational level, EU, to the national level, Norway. They evaluated that Norway harmonizes its national laws with its international obligations, as it is a part of the European Economic Area² (EEA).

Another international influence associated with social regulation reforms has been the ratification of UN CRPD by EU in 2009 and Norway following suit in 2013. Although the UN CRPD ratification is regarded as an important development influencing disability policies globally, most of the experts converged on the idea that the UN CRPD ratification had a limited impact on the adoption of social regulation policies. Expert 1 (disability rights activist) ironically stated:

“I think CRPD is for the poor parts of the world, not for Norway. . . We don't need human rights instruments, it's the rest of the world who needs human rights instruments. We are perfect, we have a lot of money and we do the best we can. Any political party or at least any government would say that. CRPD doesn't make any change in Norway, but they hope it makes difference in the rest of the world.”

The statements from experts indicate that EU directives have been the major thrust, owing to which anti-discrimination provisions and design for all principles have been adopted in Norway. CRPD ratification has played a peripheral role in the process of social regulation policy reforms, which could achieve employment equality for disabled people (Fig. 1).

5.1.2. Influence in India

Many experts overwhelmingly assessed that the Indian government has been nudged by the multilateral agencies, such as the UN, to change its disability policies. The Persons with Disabilities Act (henceforth PWD Act) in 1995 was the first major legislation outlining principles of equality and full and effective participation. This Act was in part an outcome of the Beijing declaration organized by

² Norway alters its national legislations and adopts EU regulations under the European Economic Area agreement (Arnardóttir et al., 2018).

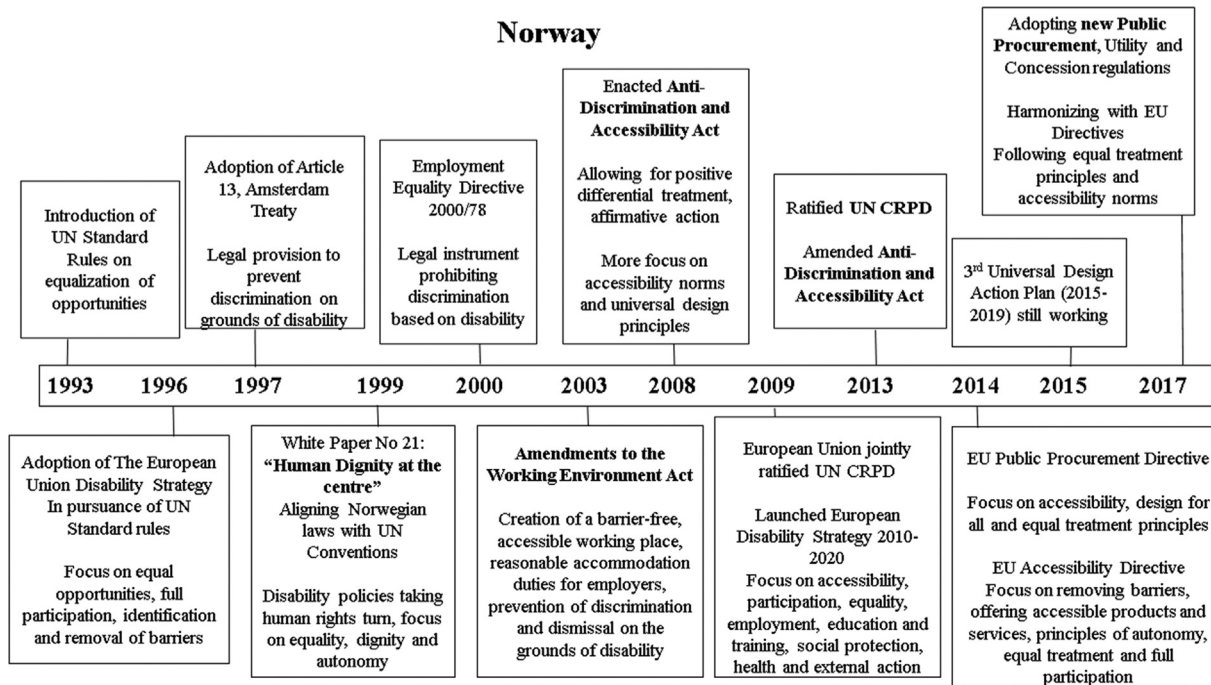


Fig. 1. International developments preceding the social regulation reforms in Norway.

the United Nations Economic and Social Commission for Asia and the Pacific (UN ESCAP). Expert 16 (policy implementer) stated:

“There was a Beijing declaration, which preceded the PWD Act from 1995. There, they talked about the protection of rights of disabled people. So, taking that as the main reason, we enacted this legislation. . . Since India also signed the declaration, we tried to translate our international commitment through the 95 Act.”

The enactment of the PWD Act in 1995 was a crucial juncture, which in earnest began the process of social regulation reforms affecting disabled people. However, many experts were disappointed in the PWD Act, as it offered a noble rhetoric but no tangible results concerning employment inclusion and full participation for disabled people.

Moving forward, in 2007 the Indian Government signed and ratified UN CRPD. Many experts considered this a watershed moment, which led to the adoption of social regulation policies in India. They pointed towards the international harmonization trend. Expert 13 (disability rights activist) stated:

“Of course, new Act, it is purely because the object was to harmonize with the provisions of UN CRPD, therefore it definitely runs through entirely on the principles of UN CRPD”.

Many experts assessed that the Rights of Persons with Disabilities Act (henceforth RPwD Act) follows a more human rights-oriented framework, which is aligned with the UN CRPD. Expert 18 (policy maker) stated that non-discrimination and equal employment opportunity policies of the RPwD Act are in line with article 27 [Work and Employment from the UN CRPD]. In essence, the expert interviews indicate that resolutions adopted in UN ESCAP and the ratification of UN CRPD have triggered social regulation reforms in India. Moreover, experts pointed out that UN CRPD ratification changed the dynamic in the Indian disability policy system (Fig. 2).

5.1.3. *Discussing the influence of international treaties*

Experts assessed that both countries formulated social regulation policies to promote the employment of disabled people, to fulfil their international legal obligations. They assessed that both Norwegian and Indian governments were keen to address common problems, such as disability discrimination, lack of accessibility and low employment outcomes for disabled people. Solutions, such as anti-discrimination provisions and accessibility norms to tackle these common problems, have been articulated by supranational institutions such as the EU and multilateral organizations such as the UN.

Previous research has found that Norwegian social regulation reforms to prevent discrimination and promote employment equality have been significantly influenced by the policy developments and international obligations stipulated by the EU since the decade of 1990s (Arnardóttir et al., 2018; Halvorsen & Hvinden, 2009). Experts mentioned that Norway has become more global and the policies are getting influenced by international developments. This finding is corroborated by the fact that the recent trend of “internationalization” (Tøssebro, 2016:112) has impacted the disability policy agenda in Norway. Moreover, experts critically assessed that the UN CRPD has negligibly influenced the adoption of social regulation policies, and the Norwegian government has given low priority to the UN CRPD. Their observation corresponds well with previous research, which argues that Norway was slow in ratifying the UN CRPD and is perceived as a latecomer as compared to other Nordic and Western-European countries (Waldschmidt et al., 2017:180–183). Furthermore, the influence of UN CRPD has been peripheral on the Norwegian disability policy system (Bickenbach et al., 2017; Halvorsen & Hvinden, 2009).

Experts evaluated that the Indian Government has been more directly influenced by the UN instruments. The preamble of the 1995 PWD Act, which promoted the principles of equality and full participation for disabled people, explicitly attributes the policy formulation to the UN ESCAP efforts from 1992 and the UN standard rules from 1993 (Ahmed, 2015). Moving forward, UN CRPD ratification by the Indian Government led to the adoption of the RPwD Act, which introduced social regulations such as non-discrimination provisions, reasonable accommodation duties and accessibility norms, within the Indian disability policy system (Bhambhani, 2018). Thus, EU and UN stipulated

India

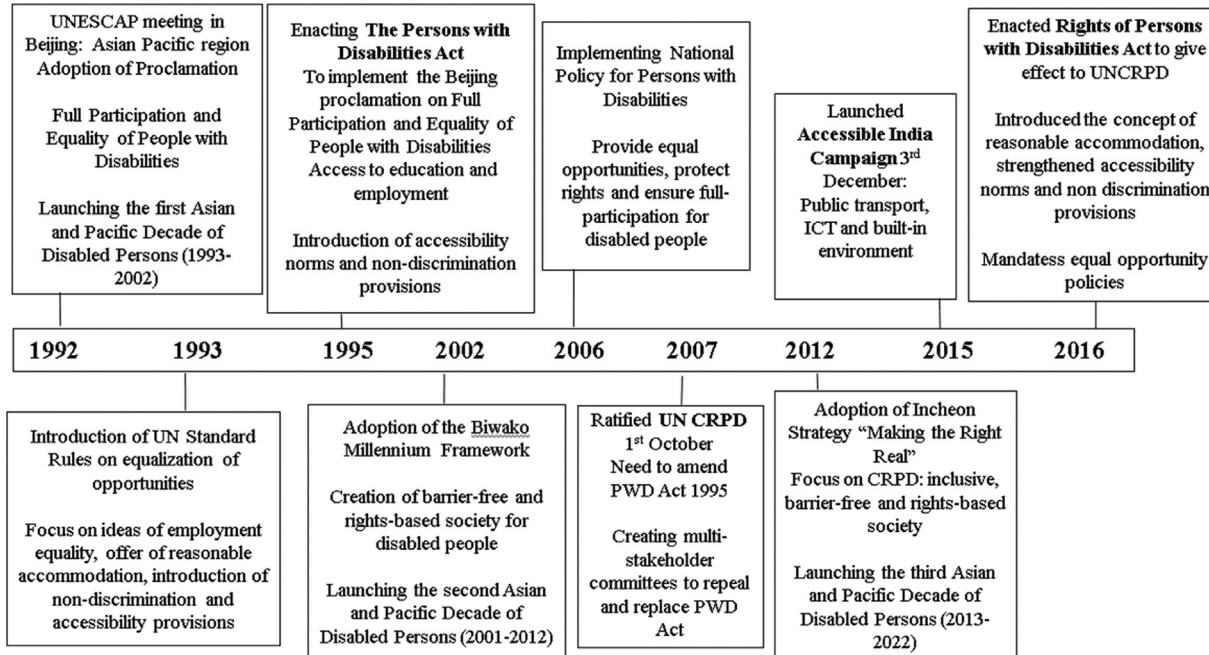


Fig. 2. International developments preceding the social regulation reforms in India.

legal obligations, which resulted into the social regulation policy convergence for Norway and India respectively.

Although both countries moved in the same direction to adopt social regulation reforms, they have different points of departure as distinctive policy contexts will prevail across Global North and Global South countries. Norway has a developed welfare state, with a long legacy of disability policy reforms and stable labour market institutions (Hvinden & Tøssebro, 2016). The labour market is predicated on a collaborative tripartite agreement amongst employers, trade unions and government to secure high employment participation. Moreover, the members of civil society have a voice in the policy formulation process (Halvorsen & Hvinden, 2009). Norway is a member of the European Economic Area, and is bound by the norms associated with the free movement of goods, capital, services and labour, which are designed to mitigate market deficiencies (Arnardóttir et al., 2018). Taking into account this stable institutional and policy legacy, supranational actors nudge Norway to undertake institutional layering (Mahoney & Thelen, 2010), resulting into subtle and gradual change to the already existing rules, policies and institutions (Van der Heijden, 2010). A prime example of policy layering was the amendments in the Working Environment Act, wherein non-discrimination provisions to achieve employment equality for disabled people was added to an already robust national legislation to harmonize with social regulation reforms trickling down from the EU. Taking a cue from the institutional change occurring within Europe, domestic “subversive” (Mahoney & Thelen, 2010) policy actors worked within the collaborative and well-functioning Norwegian political and legal system to usher social regulation reforms in a piecemeal way.

In contrast, India has an underdeveloped welfare state, lacked a legacy of disability policy reforms and has weak labour market institutions (Ahmed, 2015; Chhabra, 2019). Furthermore, the Indian government had not prioritized employment inclusion of disabled people as the labour market has largely remained informal and unregulated (Singhal, 2010). However new avenues for policy and institutional change opened up in the early 1990s as India liberalized its economy and better integrated it with the global system (Harris-White, 2003). Multilateral agencies such as the UN supported the insurrectionaries who undertook radical institutional displacement, which led to the introduction of new rules, policies and institutions (Van der Heijden, 2010) to transform the disability policy system. A prime example is the enactment of the first comprehensive legislation, PWD Act in 1995. This disability legislation had no precursor and was in part brought about by the influence of international multilateral organizations, which supported domestic actors who had marginal representation and their policy priorities were neglected in the prevailing institutional and policy system. Thus, it is clear that convergence within the social regulation reforms that took place in Norway and India was influenced by supranational institutions and multilateral organizations. Nonetheless, the similar reforms were brought about in different ways which were mediated by the varying institutional context and policy legacy.

5.2. The influence of grassroots mobilization

The mobilization of individuals and organizations at the grassroots level are important catalysts to usher social movements resulting in policy change and social transformation (Waldschmidt, Karacic, Sturm, & Dins, 2015). Broad based, multi-actor advocacy coalitions can bring about desired policy change (Weible & Jenkins-Smith, 2016), as in the recent years disability policy formulation has been pushed to become more deliberative, consultative and democratic (Bickenbach et al., 2017). The advocacy coalition actors lobby and place demands on the government to implement social regulation reforms (Heyer, 2015). The influence of disabled people and their organizations involved in grassroots mobilization in Norway and India is presented.

5.2.1. Grassroots mobilization in Norway

Many experts stated that from the late 1990s, some disability organizations demanded that social redistributive measures such as financial benefits, be complemented with social regulations such as anti-discrimination provisions. Expert 1 (disability rights activist) stated that disabled people and their organizations “pushed forward for stronger rights and another way of thinking then. Not only this welfare thinking, but also discrimination thinking”. Talking specifically about the priorities of some

disability organizations in the early 2000s, Expert 7 (academic researcher) stated that discrimination, accessibility and regulatory policies was on the agenda of the disability organizations. Experts highlighted that consultation with disabled people and their organizations was pivotal for the enactment of Anti-Discrimination legislation in 2009.

Many experts assessed that disabled people and their organizations were getting more involved in policy formulation and are getting represented within labour market institutions. Expert 8 (policy maker) stated that disabled people are sitting at the top of the Labour and Welfare administration. They head the user arena and determine the policy agenda. In essence, many experts argued that disabled people and their organizations leverage their collaborative relations to pull the political strings and influence the disability policy formulation. Prime examples include the Anti-Discrimination law. They assessed that in totality, disabled people and their organizations have supported the emerging social regulation, policies which are aimed to secure equality and inclusion for disabled people in Norway.

5.2.2. Grassroots mobilization in India

Many experts evaluated that historically the Indian Government had been callous in framing disability policies and granting rights to disabled people. Consequently, disabled people and their organizations, had to resort to policy advocacy by employing confrontational actions. Expert 13 (disability rights activist) stated that from the mid-1970s until mid-1990s, the movement of blind people was in forefront of the disability rights movement to influence the formulation process of the disability legislation. Their engagements led to the formation of consultation committees, culminating with the passage of the PWD Act in 1995. This legacy of political agitation was carried forward in the late 2000s. Disabled people and their organizations created cross-disability advocacy networks and pushed the Indian government to frame a new law, which was aligned with the principles of UN CRPD. The perspective of expert 12 (disability rights activist) is illuminating:

“For seven months there was a big fight between us and the Minister, series of rallies, sit-ins and blocking his house. It was after seven months of advocacy and sustained pressure and activism that the Minister considered to set up a Committee and conceded to the idea of a new [disability] law.”

Political agitations have been an integral feature of disability rights movement in India. In addition to the agitations orchestrated on the street, many experts mentioned that policy advocacy has been conducted through the involvement of judiciary, which was regarded as a benign ally. As Expert 12 (disability rights activist) stated:

“We will then say [to other disabled people]: Look, these are your rights, ask for your rights. Demand. Ask for reasonable accommodation, ask for non-discrimination. If discrimination takes place, sue the employers.”

Some experts were actively consulted after the Indian government signed and ratified the UN CRPD. Discussing the influence of disability rights activists, Expert 24 (Corporate representative) stated that the RPWD Act with its non-discrimination and equal opportunity provisions was drafted by disabled people organizations. In addition, commenting on the positive developments concerning the disability policy consultation process in India, Expert 25 (disability rights activist) stated: “we have a much more vibrant civil society than we used to have.” In essence, experts highlighted that the use of political agitations by disabled people and their organizations has triggered policy change. Moreover, some experts stated that positive judicial pronouncements on issues of employment, accessibility, and anti-discrimination have emboldened disability organizations. Prime examples of policy changes brought by the influence of disability rights activists were the PWD Act 1995 and RPWD Act 2016. Experts articulated that disabled people and their organizations have a stronger voice and greater visibility, leading to a greater representation in the policy consultation process (Table 3 for the influence of disabled people and their organizations).

Table 3
Influence of grassroots mobilization by disabled people and their organizations triggering social regulation reforms.

Activities	Norway	India
Nature of policy advocacy	Collaborative relationship Working closely with public authorities	Contentious political action: confrontational approach Use of litigation
Representation and consultation	Long legacy of representation at local, regional, national level; stable consultation procedure	Post UN CRPD ratification: better representation at local, regional, national level and increased role in the policy consultation at national level
Type of policy adoption	Anti-Discrimination and Accessibility Act 2009	Person with Disabilities Act 1995 Rights of Persons with Disabilities Act 2016
Institutional change	The office of Equality and Anti-Discrimination Ombud to promote full participation and inclusion for disabled people in the Norwegian Society	Office of Chief Commissioner for Persons with Disabilities to monitor the welfare and regulatory provisions of disability legislations

5.2.3. *Discussing the importance of grassroots mobilization*

Experts from both countries assessed the positive influence of disabled people and their organizations in bringing about social regulation reforms, which promoted employment equality. Globally, disability rights movements have made claims on resource redistribution, legal recognition and political representation (Charlton, 1998; Heyer, 2015). Social mobilization of disabled people and their organizations has followed a bottom-up trajectory with growing cooperation among transnational disability groups. Disability rights activists are “norm entrepreneurs” (Heyer, 2015:207) pushing the policy agenda for equality and equal worth, and use the tactics of “naming and shaming” (Waldschmidt et al., 2017:179) to pressurize their governments to adopt social regulation policy reforms.

Experts assessed that both countries have vibrant civil society networks, consisting of organizations run by and for disabled people, and disabled people have been front-runners championing for their own rights. The ideological framework provided by “nothing about us, without us” (Charlton, 1998) captures the essence of self-advocacy and grassroots mobilization resulting in a resurgent disability rights movement in Norway (Waldschmidt et al., 2015) and India (Bhambhani, 2018).

Some experts assessed that there exists a collaborative relationship between the Norwegian Government and the disability organizations, which are regularly consulted. This observation of experts corresponds well with the finding that historically in Norway, disabled people and their organizations “have achieved close, informal and cooperative relations” (Halvorsen & Hvinden, 2009:198) with the government and public bureaucracy. By leveraging the collaborative relations, disability organizations influence the formulation of disability policies. Experts converged with the prevailing scholarship that some disabled people and their organizations lobbied for anti-discrimination provisions, accessibility norms and reasonable accommodation duties aligning their activities from below with the international trends to push for more social regulations (Tøssebro, 2016).

Similar to Norway, Indian experts evaluated the growing influence of disabled people and their organizations on the policy reforms. Experts concurred with scholarship that grassroots activism led to the first nationwide statute on disability: the PWD Act of 1995 (Ahmed, 2015). The influence of disabled people and their organizations has steadily increased since the early 1990s (Bhambhani, 2018) and they have strategically combined elements of contentious political action in the form of strikes and sit-ins (Chander, 2016) with policy advocacy measures involving litigation (Ahmed, 2015). Since the 1990s, these organizations have been influenced by the global discourse on disability rights (Chander, 2016). In the mid-2000s, these organizations pressurized the Indian Government to ratify the UN CRPD and engaged in the consultation process and formulation of the RPwD Act 2016 (Bhambhani, 2018). Experts evaluated that there has been a considerable influence of grassroots mobilization and policy advocacy work of the disability organizations to push for a human rights regime and the adoption of social regulations within the disability policy system in India.

Although the grassroots mobilization of disabled people led to social regulation reforms in both Norway and India, there were notable differences, as one country belongs to the Global North while the other to the Global South context. The disability activists in Norway who undertook grassroots mobilization, could be understood as subversive change agents (Mahoney & Thelen, 2010), who gradually and systematically worked towards altering the policy priorities, as they have a quite collaborative relationship with the government (Halvorsen & Hvinden, 2009). They triggered institutional layering. A prime example is the ombudsman for disabled people. A case for such an institution could be made as the Nordic countries has a longer history of such social regulatory institutions (Arnardóttir et al., 2018). Furthermore, policy layering accompanied the institutional change in Norway, as some disabled activists argued for the adoption of an anti-discrimination law to prevent disability discrimination. Historically, Norway has a long policy legacy for similar anti-discrimination laws preventing discrimination for protected minority groups (Halvorsen & Hvinden, 2009). Sweden had adopted anti-discrimination provisions and constituted an ombudsman dedicated to prevent disability discrimination in the 1990s (Arnardóttir et al., 2018). Following these disability policy developments, disability rights activists undertook “naming and shaming” (Waldschmidt et al., 2017), and nudged the Norwegian government to pivot from singular focus on redistributive policies, towards a more broad-minded focus on social regulation reforms, which could equalize the life-chances for disabled people (Tøssebro, 2016).

In contrast, it was apparent that the disability rights activists in India played the role of insurrectionaries (Mahoney & Thelen, 2010) and confronted the Indian government, either through strikes, contentious political actions, or through judicial activism, wherein they forced the Indian government to comply with its obligations towards disabled people (Bhambhani, 2018; Chander, 2016). These activists undertook social mobilization by following the Gandhian legacy of civil disobedience and triggered institutional displacement. They were able to ask the federal government to create a nationwide legislation, i.e. Persons with Disability Act (1995), in spite of the fact that disability in India does not fall under federal jurisdiction, but is a state prerogative (Ahmed, 2015). As part of the PWD Act, they demanded a creation of the office of Chief Commissioner for Persons with Disabilities, which could compliment their judicial activism efforts. Such radical policy and institutional displacement took place in the 1990s, resulting in part out of contentious political action and non-disruptive civil disobedience (Bhambhani, 2018). Following their success, the last two decades have seen more grassroots mobilization, wherein the government now sees disabled people as partners to form progressive legislations, i.e. RPwD Act (2016). It seems that the activists are now moving towards a subversive role, wherein they could bring about gradual institutional and policy change, as they are being better represented and actively being consulted by the Indian government (Bhambhani, 2018). Like their counterparts in Norway, disability rights activists are increasingly participating in transnational advocacy networks (Heyer, 2015), and have successfully undertaken the tactic of naming and shaming to nudge the Indian government towards social regulation reforms (Table 4).

6. Concluding discussion

This article contrasted the insights from Norwegian and Indian disability policy experts to find out that two factors such as international harmonization trend from above and grassroots mobilization from below have contributed to social regulation policy convergence, which transcends the Global North and South divide. In spite of differing institutional arrangements and policy legacy, the governments in both Norway and India moved in this similar direction towards social regulation reforms since the decade of 1990s. Based on the insights from the policy experts who operated in distinctively different policy contexts, there are a few takeaways.

First, the social regulation reforms have been influenced by similar exogenous top-down factors, which operated differently in Norway and India. Norwegian social regulation policies were incrementally harmonized with the EU directives and legal guidelines, and the rules linked to employment equality and non-discrimination were layered upon already existing robust regulatory framework. In addition, the Equality and Anti-Discrimination Ombud was created in line with the long legacy of similar ombud institutions, which have existed for protected groups (Arnardóttir et al., 2018). In the collaborative, well-functioning context, subversive policy actors undertook systematic policy and

Table 4
Two factors contributing to social regulation policy convergence.

Factor	Institution		Type of domestic policy actor		Change	
	Norway	India	Norway	India	Norway	India
International Harmonization Top-down influence	EU	UN	<i>Subversives</i> rule-abiding Collaborative Better political representation	<i>Insurrectionaries</i> Rule-changing Confrontational Poor political representation	Incremental Evolutionary Layering Anti-Discrimination Law 2009/17 Ombudsman	Radical Revolutionary Displacement PWD Act 1995 RPwD Act 2016 CCPD
Grassroots mobilization Bottom-up influence	Disabled people and DPOs	Disabled people and DPOs	<i>Subversives</i> rule-abiding Collaborative Better political representation	<i>Insurrectionaries</i> Rule-changing Confrontational Poor political representation	Incremental Evolutionary Layering Anti-Discrimination Law 2009/17 Ombudsman	Radical Revolutionary Displacement PWD Act 1995 RPwD Act 2016 CCPD

CCPD: Office of the Chief Commissioner for Persons with disabilities.

institutional layering to fulfil the legal demands placed by supranational institutions such as the EU. Like Norway, the Indian government was influenced by the pressure of harmonizing its laws with international standards linked to equality, inclusion and participation set out by the UN (Ahmed, 2015). However, the route of policy and institutional change was different. Radical nation-wide legislations were enacted, first the PWD act in 1995 and subsequently RPwD act in 2016. Furthermore, new statutory institutions such as the Office of Chief Commissioner of Persons with Disabilities was created to monitor the implementation of social regulation reforms (Chhabra, 2019). These disability reforms were ushered by insurrectionaries and were akin to institutional and policy displacement, as there were no historical precedents for such reforms aimed at disabled people in India.

Second, complementing these international influences, the social regulation reforms in both the countries have also been achieved on account of bottom-up grassroots mobilization where sustained pressure has been applied by disabled people and their organizations. They have become better informed, well-connected and more vociferous. They are forming domestic and transnational advocacy networks to bring about similar social regulation reforms (Heyer, 2015). In Norway, policies linked to employment equality and non-discrimination have been influenced by the inputs of the disability organizations, which have collaborative relations with the government (Halvorsen & Hvinden, 2009). Disabled people and their organizations in Norway have been subversive actors with good political representation, who have worked in tandem with the Norwegian government to usher social regulation reforms. However, their counterparts in India had limited political representation, and therefore had to rely on contentious means, non-disruptive actions and judicial activism to push the Indian government to adopt social regulation reforms (Bhambhani, 2018). They worked as insurrectionaries leading to institutional policy displacement, wherein new disability reforms and regulatory institutions were introduced to the Indian disability policy system. Despite the divergent tactics, the ultimate outcome of disability organizations has been to undertake grassroots mobilization of disabled people predicated on “nothing about us, without us” (Charlton, 1998), and have pushed for an employment equality and non-discrimination for disabled people.

Third, factors behind policy convergence could be understood as exogenous, international pressures influences trickling down from top, or endogenous domestic priorities bubbling up from the bottom (Bennett, 1991; Holzinger & Knill, 2005; Hoberg, 2007) However, the influences revealed through the expert interviews could not be perceived as either external or internal. There is rather a spiral dynamic at play (Waldschmidt et al., 2017), which makes these influences not distinctive or mutually exclusive, but overlapping and interconnected. Even the experienced policy experts could not always clearly single out the influence of these factors contributing to social regulation policy convergence.

Finally, the factors associated with social regulation policy convergence is well documented for the Global North countries (Bickenbach et al., 2017; Heyer, 2015). This article is both empirically and theoretically valuable, as it demonstrates that similar factors operating in different ways contributing to social regulation policy convergence for two dissimilar countries such as Norway and India, belonging to the Global North and Global South respectively. It seems that internationalization of social regulations is a new normal within disability policy regimes constituting the Global North and Global South countries. However, there is a need for further cross-national disability research, which compares not only the adoption of social regulation reforms, but also its implementation, because effective implementation of such regulatory reforms can help in securing the human rights of disabled people globally. Furthermore, the focus on social regulation reforms in Global South countries should complement and not compete with the implementation of social redistribution policies. Therefore, this article invites more broad-based Global North Global South disability policy research, which explores the policy learning, adoption and implementation across varying institutional systems.

Disclosure of interest

The author declares that he has no competing interest.

Références

- Ahmed, R. (2015). *Rights of persons with disability in India—A critical legal analysis*. Chandigarh, India: White Falcon Publishing.
- Arnardóttir, O. M., Hotvedt, M. J., Nousiainen, K., & Ventegodt, M. (2018). Nordic disability employment laws and policies in a human rights perspective. In R. Halvorsen, & B. Hvinden (Eds.), *Youth, Diversity and Employment* (pp. 150–177). Cheltenham, UK: Edward Elgar Publishing Limited.
- Bhattacharya, A., Agrawal, S., & Shenoy, M. (2015). *The road to inclusion: Integrating persons with disabilities into organizations. Youth4Jobs*. (Retrieved January 2018 from: <http://www.youth4jobs.org/pdf/y4j-the-road-to-inclusion-integrating-pwds-in-organizations-report.pdf>).
- Bennett, C. J. (1991). What is policy convergence and what causes it? *British Journal of Political Science*, 21(2), 215–233.
- Bhambhani, M. (2018). From charity to self-advocacy: The emergence of disability rights movement in India. In A. Ghai (Ed.), *Disability in South Asia* (pp. 21–37). London, UK: Sage.
- Bickenbach, J., Ferri, D., Guillen Rodriguez, A. M., Halvorsen, R., & Hvinden, B. (2017). *The changing disability policy system*. London: Routledge.
- Bogner, A., Littig, B., & Menz, W. (2009). Introduction: Expert interviews—An introduction to a new methodological debate. In A. Bogner, B. Littig, & W. Menz (Eds.), *Interviewing experts* (pp. 1–14). Basingstoke, England: Palgrave Macmillan.
- Chander, J. (2016). The disability rights movement in India. In N. Ghosh (Ed.), *Interrogating disability in India* (pp. 167–182). Kolkata, India: Springer.
- Charlton, J. I. (1998). *Nothing about us without us: Disability oppression and empowerment*. Berkley and Los Angeles, California: University of California Press.
- Chhabra, G. (2019). Two worlds, too apart to converge? A comparison of social regulation policies aimed at the employment of disabled people in Norway and India. *Alter European Journal of Disability Research*, 13(2019), 83–100.
- Grech, S., & Soldatic, K. (2016). Introduction: Disability in the Global South. In S. Grech, & K. Soldatic (Eds.), *Disability in the Global South: The Critical Handbook* (pp. xiii–xxviii). Cham: Springer International Publishing.
- Guy Peters, B. (2016). Institutionalism and public policy. In B. Guy Peters, & P. Zittoun (Eds.), *Contemporary approaches to public policy: Theories, controversies, perspectives* (pp. 57–72.). London, England: Macmillan Publishers Ltd.
- Halvorsen, R., & Hvinden, B. (2009). Nordic disability protection meeting supranational equal treatment policy. In H. Aasen, R. Halvorsen, & B. Silva (Eds.), *Human rights, dignity and autonomy in health care and social services* (pp. 177–203). Antwerp, Belgium: Intersentia.
- Halvorsen, R., Hvinden, B., Bickenbach, J., Ferri, D., & Rodriguez, A. (2017). The contours of the emerging disability policy in Europe. In J. Bickenbach, R. Halvorsen, B. Hvinden, D. Ferri, & A. Rodriguez (Eds.), *The changing disability policy system* (pp. 215–234). London, England: Routledge.
- Harris-White, B. (2003). Introduction: The character of the Indian economy. In B. Harris-White (Ed.), *India working: Essays on society and economy* (pp. 1–16). Cambridge, England: Cambridge University Press.
- Heyer, K. (2015). *Rights enabled: The disability revolution, from the US, to Germany and Japan, to the United Nations*. Ann Arbor: University of Michigan Press.
- Heichel, S., Pape, J., & Sommerer, T. (2005). Is there convergence in convergence research? An overview of empirical studies on policy convergence. *Journal of European Public Policy*, 12(5), 817–840.
- Hoberg, G. (2007). Globalization and policy convergence: Symposium overview. *Journal of Comparative Policy Analysis: Research and Practice*, 3(1), 127–132.
- Holzinger, K., & Knill, C. (2005). Causes and conditions of cross-national policy convergence. *Journal of European Public Policy*, 12(5), 775–796.
- Hvinden, B., & Tøssebro, J. (2016). *European semester 2015/2016 shadow fiche on disability*. University of Leeds: Academic Network of European Disability Experts (ANED).
- Knill, C. (2005). Introduction: Cross-national policy convergence: Concepts, approaches and explanatory factors. *Journal of European Public Policy*, 12(5), 764–774.

- Mahoney, J., & Thelen, K. (2010). A theory of gradual institutional change. In J. Mahoney, & K. Thelen (Eds.), *Explaining institutional change: Ambiguity, Agency and Power* (pp. 1–32). Cambridge, England: Cambridge University Press.
- Meuser, M., & Nagel, U. (2009). The expert interview and changes in knowledge production. In A. Bogner, B. Littig, & W. Menz (Eds.), *Interviewing experts* (pp. 17–42). Basingstoke, England: Palgrave Macmillan.
- Singhal, N. (2010). Doing disability research in a Southern context: Challenges and possibilities. *Disability & Society*, 25(4), 415–426.
- Statistics Norway. (2019). *Disabled people, Labour force survey, 2nd quarter 2019*. (Retrieved from <https://www.ssb.no/arbeid-og-lonn/statistikker/akutu>)
- Tøssebro, J. (2016). Scandinavian disability policy: From deinstitutionalization to non-discrimination and beyond. *ALTER-European Journal of Disability Policy Research*, 10(2), 111–123.
- Van der Heijden, J. (2010). A short history of studying incremental institutional change: Does Explaining Institutional Change provide any new explanations? *Regulation & Governance*, 4, 230–243.
- Waldschmidt, A., Karacic, A., Sturm, A., & Dins, T. (2015). Nothing about us without us" disability rights activism in European countries—A comparative analysis. *Moving the Social-Journal of Social History and the History of Social Movements*, 53, 103–137.
- Waldschmidt, A., Sturm, A., Karacic, A., & Dins, T. (2017). Implementing the UN CRPD in European countries. In J. Bickenbach, R. Halvorsen, B. Hvinden, D. Ferri, & A. G. Rodriguez (Eds.), *The changing disability policy system* (pp. 177–195). London, England: Routledge.
- Weible, C. M., & Jenkins-Smith, H. C. (2016). The advocacy coalition framework: An approach for the comparative analysis of contentious policy issues. In Perters, & Zittoun (Eds.), *Contemporary approaches to public policy: Theories, controversies and perspectives* (pp. 15–34). London, England: MacMillan Publishers Ltd.
- Yin, R. K. (2012). *Applications of case study research* (3rd ed.). London, England: Sage.