



**Károli Gáspár University of the Reformed Church in Hungary- Doctoral School of
Law and Political Sciences**

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„LIVING BETWEEN THE LINES”

Welfare systems and legislative processes in the support of persons with disabilities in
Hungary

(doctoral thesis abstract)

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1. Outline of the proposed research

The starting point of the dissertation is the recognition that disability as a social phenomenon is a complex reality that cannot be comprehensively interpreted by legal science, social policy, or theological-anthropological approaches alone. In modern societies, disability is a cultural construct, a legal category, a mode of institutional operation, a social attitude, and a personal life experience. This multi-layered phenomenon is a system of mutually defining dimensions in which human dignity, autonomy, community participation, social justice, and the functioning of the welfare state all play a role. The dissertation therefore does not build on the results of a single discipline, but applies an interdisciplinary research strategy that integrates legal dogmatic analysis, the theoretical framework of disability studies, demographic-empirical studies, and the Reformed theological-anthropological perspective into a unified structure.

The research is based on the fundamental insight succinctly expressed by István Hoffman: "jurisprudence is the handmaiden of disability studies" – *Ancilla iuris*.¹ This thesis highlights that law is not a system that exists in isolation, but rather a structure created by society that reflects its attitudes and values. The legal and institutional treatment of disability can therefore only be understood if we explore the cultural, social, and historical narratives behind it. The aim of this thesis is to reconstruct this complex system of relationships: how the cultural meaning of disability, the normative logic of legislation, the welfare state support system, and the religious-symbolic interpretive space interact with each other.

Research objectives and theoretical starting points

The first, fundamental objective of the dissertation is to show how the interpretation of disability has evolved throughout history and how these changes in meaning are reflected in legal regulations and contemporary institutional practices. The thesis traces the historical arc of the concept of disability () from the ancient concept of deviance through medieval spiritual interpretations and the biomedical turn of modernity to contemporary social and human rights models. The first hypothesis (H1) is related to this research objective, namely

¹ István HOFFMAN *Legal science as the "servant" of disability science: Legal research in the service of complex examination of disability science*, CARISSIMI, VII(2016)/4, 10–11.

that the legal system responds adaptively to changes in social constructions of disability, and that changes in meaning can also be detected in legal categories, eligibility rules, and the concept of state responsibility. Based on this hypothesis, the research seeks to interpret historical changes in the concept of disability in the context of the transformation of legal norms.

The **second major objective** of the thesis is to develop a life course approach to analysis. The situation of persons with disabilities cannot be viewed merely as a momentary state: the needs, transitions, gaps in support, and opportunities that arise at different stages of the life course have a decisive influence on the development of a life lived with dignity. Therefore, the dissertation does not examine individual types of care, but analyzes the functioning of the social security system across seven major life stages. This forms the basis for the second hypothesis (H2), which states that the effectiveness of the welfare and social security system depends on its ability to respond in a differentiated manner to the dynamics of disability across different ages and life situations. The life course-based analysis of the thesis highlights that the benefit system is fragmented, its permeability is limited, and it is precisely those stages of life – such as early childhood or the transition to young adulthood – where the lack of support results in long-term disadvantages that are the most vulnerable.

The third fundamental objective of the research is to explore the normative and practical impact of the CRPD. The 2007 ratification is a milestone in Hungarian disability policy, but the dissertation examines the extent to which the theoretical shift in normative dogma has led to a real change in attitudes and institutions. The third hypothesis (H3) is related to this question: the autonomy-centered human rights paradigm introduced by the CRPD is only partially implemented in Hungarian law enforcement, and varies from sector to sector. Based on the CRPD Committee's concluding observations from 2017 and 2022, as well as ombudsman reports, the research shows that there is a significant gap between legal norms and practical implementation, particularly in the areas of independent living, legal capacity, inclusive education, and community services.

The normative significance of an interdisciplinary perspective²

Another goal of the dissertation is to incorporate religious and theological frameworks into the interpretation of disability. Reformed theological anthropology—especially the concepts of imago Dei, interdependence, and inclusive community—offers a horizon of interpretation that can radically transform our understanding of social participation and dignity. This leads to the fourth hypothesis (H4), which states that the partnership approach found in Reformed theological and institutional practices can create stronger inclusion than paternalistic care logics. The dissertation examines Zsófia Juhász's theological legacy, the diaconal practice of the Reformed Charity Service, and the inclusive potential of the church institutional system in a separate chapter.

The **fifth objective** of the research is to examine the inclusive impact of supported housing and other community-based forms of service. The dissertation interprets the process of institutional capacity replacement not only as a policy program, but also as part of a deeper social and cultural transformation. This is linked to the fifth hypothesis (H5): community-based services alone do not guarantee inclusion; the conditions for genuine social participation are the strengthening of professional culture, community presence, and connectedness.

Interpretation of the title – "Living between the lines"

The title of the dissertation is a metaphor for the analysis as a whole.³ It refers to the fact that the lives of people with disabilities are often organized not in the order outlined in legislation, but in the gaps between legal and institutional structures, "between the lines." The dissertation shows that formal legal frameworks, although necessary, are unable to fully reflect the reality of life situations. People with disabilities often experience dignity or indignity in precisely those moments that remain invisible at the level of norms: in institutional communication, in small decisions about access to services, and in interactions with professionals and communities.

² Orsolya TOBAK *The emergence of the concept of disability in different eras and scientific fields.*, Acta Sana, IV(2009)/1, 15–19.

³ REVILLARD Anne, *Fragile rights: disability, policy, and social change*, Bristol, UK, Bristol University Press, 2023. (Law, society, policy)

The dissertation therefore examines how people appear in this invisible space, where their dignity is upheld or violated, and how historical, legal, social, and theological discourses on disability shape the world we live in.

2. Description of the research, investigation, and analysis carried out, recording of the methodology, and listing of sources

The research methodology of the dissertation consciously combines the border areas of several scientific fields in order to capture the complex reality of the rights, social positions, life situations, and life paths of persons with disabilities in as nuanced a way as possible. The starting point is the recognition that the phenomenon of disability cannot be described using the logic of a single discipline: it is determined by the system of legal regulation and law enforcement, influenced by the social environment and institutional practice, shaped by historical and cultural traditions, and, in addition to all this, it is also organically embedded in religious and theological interpretations. Consequently, the research examines the complex reality of disability by building on three major methodological pillars: doctrinal legal analysis, comparative social science research, and empirical quantitative analysis together form the interdisciplinary framework of the thesis.

Doctrinal legal analysis⁴

One of the most important dimensions of the research was the analysis of legal norms and their development. The study focused on how the rights of persons with disabilities are reflected in the Hungarian legal system, what historical layers and interpretative traditions lie behind the regulations, and how domestic legislation relates to the expectations arising from the human rights model of disability. To this end, the thesis reviewed the relevant parts of the fundamental rights provisions of the Fundamental Law, in particular the horizons of interpretation of the right to human dignity, equal opportunities, social security, and the prohibition of discrimination. Act XXVI of 1998 on the Rights of Persons with Disabilities was also examined in detail, which, as one of the cornerstones of domestic regulation, also reflects changes in attitudes and legal policy.

⁴ *Empirical legal research: paradigms, methodology, areas of application*, ed. András JAKABMiklós SEBŐK Publishing House: MTA Social Science Research Center, 2020. (Osiris textbooks)

The research discusses in detail the eligibility criteria, age categories, types of benefits and regional differences of the Act on Social Administration and Social Benefits, as well as the transformation of the regulation of legal capacity in the light of modern legal theory. Special attention is given to the introduction of supported decision-making in Hungary in light of the Civil Code and Act CLV of 2013, as one of the most important areas of implementation of Article 12 of the CRPD. The dissertation also analyzes the legal framework of deinstitutionalization in detail, with particular regard to how international and domestic legislation relates to the replacement of large institutional structures and how EU development policy processes shape domestic service development.

A distinctive feature of doctrinal research is that the analysis is not limited to the text of the legislation, but examines the interpretation of the normative texts in a multi-level comparison. The provisions of the CRPD, the interpretative comments issued by the Committee, and the concluding observations of 2017 and 2022 together provided the international reference framework that enabled a profound interpretation of the domestic legal system. The study showed that Hungarian legislation is consistent with the requirements of the CRPD in several respects, but at the practical level—particularly in the areas of independent living, inclusive education, legal capacity, and community-based services—there are persistent systemic differences.

Comparative and social science analysis

The second pillar of the research examined how the interpretation of disability has appeared in various social science, historical, and international discourses, and how these discourses have influenced the domestic regulatory and institutional environment. The research reviewed historical narratives of disability, from early stigmatizing categories through the biomedical model of modernity to social and human rights approaches. Of particular importance in this process is the shift in perspective that no longer interprets disability as an individual deficit, but as the interaction of social and environmental factors.

The comparative research examined not only theoretical but also practical contexts: the recommendations, legal documents, and policy frameworks of the UN, the European Union, the Council of Europe, the WHO, and other international organizations show that the implementation of the CRPD raises similar dilemmas worldwide. The dissertation also explores the experiences of other countries—particularly in the areas of supported decision-

making, institutional deinstitutionalization, and inclusive education—whose lessons shed new light on the interpretation of domestic problems.

A unique and innovative feature of the research is that it combines social science and legal theory frameworks with Reformed theological-anthropological interpretations. The theological concepts of humanity, imago Dei, interdependence, and inclusion form a moral and socio-philosophical horizon that can rethink the institutional frameworks of thinking about people with disabilities. The thesis points out that inclusive attitudes in the functioning of church institutions and community practices are not only symbolically significant, but actually shape social integration and the quality of services.

Quantitative and empirical studies⁵

The third pillar of the research is empirical data analysis, which examines domestic demographic conditions and the social situation of the population with disabilities through the 2011 and 2022 census databases of the Hungarian Central Statistical Office (KSH). This dimension made it possible to explore the social groups into which people with disabilities are organized, the regional inequalities that characterize their situation, and the development of their educational attainment, economic activity, and employment structure. The data clearly indicate that the practical enforcement of formally existing rights faces numerous obstacles: employment rates are low, transitions (e.g., from education to work) are fragile, and there are significant regional differences in access to services. The quantitative results, together with legal and social science analyses, paint a comprehensive picture of the situation of persons with disabilities, based on both normative expectations and empirical data. A comparison of the two dimensions reveals that legal regulation and social functioning are often organized according to different logics, and that shortcomings in the actual enforcement of rights are in many cases the result of systemic inequalities.

Systematic presentation of sources

The source base of the dissertation is extremely broad and diverse. The research draws on international legal documents – primarily the CRPD, its interpretative documents, and the Committee's concluding observations – as well as policy documents from the European Union, the WHO, the ILO, and the OECD. Domestic legal sources are also of decisive

⁵ <https://nepszamlalas2022.ksh.hu/> (The Law n.d.).

importance: the Fundamental Law, the Civil Code, Act XXVI of 1998, the Szt., public education legislation, employment policy rules, and related implementing regulations all contribute to a deeper understanding of the issues examined.

Ombudsman reports (in particular AJB-2618/2012; AJB-4832/2012; AJB-5360/2012) documenting violations of the rights of persons with disabilities in practice constitute an important layer of research. The scientific literature covers a wide spectrum of disability studies, legal theory, social policy, and theological anthropology, with a particular focus on the development of domestic and international disability studies discourses.

The multi-layered nature of the sources made it possible for the research to not only examine legislation and theoretical frameworks, but also to interpret disability as a complex social and cultural phenomenon. The dissertation thus creates an interdisciplinary methodological approach that is capable of bridging the gap between legal norms and everyday reality and provides a new scientific basis for the development of disability law in Hungary.

3. Summary of new scientific findings in thesis form

The new scientific findings of the dissertation emerge in a scientific field where legal, social, theological, and institutional interpretations of disability are not separate approaches, but rather mutually shaping and interpreting systems. One of the most comprehensive contributions of the research is to demonstrate that disability is not a static condition, not merely a biological or medical category, but a social and cultural construct that is deeply politicized, normative, and value-laden in both its historical stratification and everyday manifestations. The thesis highlights that the legal system is not an external observer of this process, but also its shaper and product: social narratives and attitudes related to disability directly influence legal categories, which in turn further shape social perception through their own normative power.

This **correlation provides** the essence of the answer to **the first hypothesis (H1)**: the thesis demonstrates that changes in the social and cultural meanings of disability do indeed trigger adaptive changes in the legal system. Historical analysis confirms that the Hungarian legal framework for disability—from the classic guardianship system through Act XXVI of 1998 to the modern human rights approach—has evolved in connection with ever-changing social interpretations. The novelty of the dissertation is that it reveals all this in a coherent pattern

integrating several scientific fields and shows that there are demonstrable social and cultural logics behind the changes in legal categories.

The **second, equally novel contribution of the research** is the scientific application of a life course approach. The thesis explores in detail how the turning points in the lives of people with disabilities—the lack of early diagnosis, dropping out of the public education system, transition to adult services, exclusion from the labor market, or issues of care in old age—are not isolated problems, but mutually reinforcing systemic vulnerabilities. The research response to the second hypothesis (H2) is clear: based on the examination of life trajectories, it can be demonstrated that the Hungarian social security system is unable to fully accommodate the age-specific characteristics and changing needs of people with disabilities. Despite formal entitlements, the system does not form a life course-oriented structure, but rather a fragmented set of service areas, with the most significant gaps always appearing in the transitional stages. The novelty of the thesis is that it supports all this not only with legal and policy analysis, but also with demographic data and an examination of institutional practices.

The **third, normatively significant result of the research** is a complex assessment of the domestic implementation of the CRPD. The thesis explores in detail the gap between international human rights standards and Hungarian law enforcement, particularly in the areas of independent living, legal capacity, supported decision-making, and community services. The third hypothesis (H3) is thus not only confirmed, but also reinforced by empirical and comparative legal arguments: the paradigm shift required by the CRPD has only been partially implemented in the Hungarian legal system, with varying degrees of depth across different sectors. The novelty of the research is that it does not merely refer to the 2017 and 2022 recommendations of the CRPD Committee (), but, based on their analysis, proposes a new methodological framework for the monitoring process, pointing out that the commitments made at the level of norms are often not in line with everyday practices, the quality of professional training, and the actual functioning of services.

The **fourth new scientific result of the dissertation** is the inclusion of a theological-anthropological perspective in the social and legal interpretation of disability. The thesis shows how Reformed theological thinking—especially the concepts of *imago Dei*, interdependence, and communal responsibility—sheds new light on the concept of social inclusion. The research response to the fourth hypothesis (H4) is clear: the theological-

anthropological framework of church institutions is capable of creating inclusive practices that go beyond secular social policy standards and enable the communal experience of human dignity in a sense that has so far remained in the background in the domestic discourse on disability. The novelty of the thesis lies in the fact that it interprets this framework not in an abstract theological sense, but through practical social and diaconal practices, demonstrating that the theological position is indeed capable of transforming institutional operations.

The **fifth significant result of the research** is the normative and practical reinterpretation of supported housing and community-based services. The thesis's answer to the fifth hypothesis (H5) is clear and empirically supported: the form of housing physically relocated to a community environment does not in itself create true inclusion. The conditions for social participation are connectedness, community presence, and a change in professional culture—that is, the recognition that community housing is not simply a smaller institution, but requires a different operational, ethical, and conceptual logic. Accordingly, the research formulates a new normative theoretical framework: supported housing becomes a dignity-based service when the logic of care is replaced by structures of partnership, participation, and autonomous decision-making.

Overall, the new scientific result of the dissertation can be summarized in that it interprets disability not within the framework of a single discipline, but in an interdisciplinary system where legal norms, social attitudes, theological meanings, and institutional functioning interact to reveal the reality of disability. The thesis opens up a new, integrated direction of research for domestic disability law and social sciences: it creates theoretical and normative foundations that are capable of supporting future policy, institutional, and social decision-making and contribute to strengthening the dignity and social participation of persons with disabilities.

4. the doctoral candidate's complete list of publications, listing separately those written on the topic of the dissertation and other publications

Publications related to the topic of my doctoral dissertation (works registered in MTMT)

- Márk Birinyi; Zita Anikó Nagy: Social profession in everyday practice. in: Basic knowledge of social and health sciences: Károli Junior Academy. Budapest, Hungary: Károli Gáspár Reformed University, L'Harmattan Publishing House (2023)

- Márk Birinyi: Children's rights in the digital environment. HUNGARIAN REFORMED EDUCATION: REFORMED PEDAGOGICAL JOURNAL 2025/1 pp. 43-50. , 8 p. (2025)
- Péter Antalóczy; Márk Birinyi: Ethical challenges of social work during the Covid pandemic. SOCIAL POLICY MIRROR 3 : 1-2 pp. 209-218. , 10 p. (2021)
- Márk Birinyi: The role of the Reformed Church in Hungary in supporting people with disabilities. in: Looking at it differently: Materials from the presentations at the professional conference on disability entitled "Our common language is love". Révkomárom: Diaconal Center of the Reformed Christian Church in Slovakia, pp. 7-21 (2025)
- Márk Birinyi, Károly Czibere: Spirituality in helping people with disabilities. Maltese Studies: Scientific Journal of the Hungarian Maltese Charity Service 3: 1 pp. 25-38., 14 p. (2021)
- Márk Birinyi, Árpád Homicskó: The Child Protection Policy of the Reformed Church in Hungary. in: Religion and Children's Rights. Miskolc-Budapest, 2025. pp. 223-239
- Márk Birinyi: Existence before God. in: Commemorative edition of the works of Endre Gyökössi. Szent Gellért Publishing House - Reformed Charity Service (2025)

Publication approved for release:

- Márk Birinyi: Digital assistive technologies promoting the social participation and independence of persons with disabilities. (forthcoming March 2026)
- Márk Birinyi: The enforcement of the rights of persons with disabilities in light of the activities of the Commissioner for Fundamental Rights. (to be published in January 2026)

Other publications registered in MTMT:

- Csaba Bálint, Márk Birinyi, Andor Szőcs, Katalin Zoller: The university and European integration: The cases of Gellner, Wittgenstein and Malinowski in the Bologna Process. EDUCATIO (1216-3384 1419-8827): 2011/4 pp 472-481 (2011)
- Márk Birinyi: Turning points in diaconal training. In: Balázs Méhes (ed.) Our spiritual face: Studies on the occasion of Árpád Szenczi's 60th birthday Budapest: Károli Gáspár Reformed University, L'Harmattan Publishing House, pp. 75-89 (2016)
- Márk Birinyi: The challenges of employment policy at the dawn of the third millennium. In: Nagy István (ed.) "The mirage has become a lake": Studies by the teachers of the College Nagykőrös: Károli Gáspár Reformed University Teacher Training College, pp. 192-200 (2010)

- Márk Birinyi: Old-new program in the higher education system. In: Jenő Bárdos, Lajos Kis-Tóth, Réka Racsko (eds.) Changing lifestyles - Old and new learning environments. (2013)
- Birinyi Márk, Szócs Andor: Investing in the future - the connections between learning and work. In: Kozma T., Bernáth K (eds.) Higher Education in the Romania-Hungary Cross-Border Cooperation Area Oradea: Partium Press, University of Debrecen Center for Higher Education Research and Development (CHERD), pp 153-169 (2012)
- Márk Birinyi, Andor Szócs: The interpretation of vocational training in international regional studies: XII. National Conference on Education. In: András Benedek, Péter Tóth; Anildo Vedovatti (eds.) The world of work and education in science (2012)
- Péter Antalóczy, Márk Birinyi: The utopia of the gender revolution. In: Commentary. 2022/1 pp. 31-45. (2022)
- Márk Birinyi, Károly Czibere, Katalin Bartha, Sára Szirák (eds.): Directory of Reformed Missions and Diaconal Work in the Carpathian Basin. Reformed Charity Service (2024)
- Márk Birinyi, Diána Szabó: Educational opportunities for marginalized youth groups. In: Á. Nagy; L. Székely (eds.) Secondhand: Hungarian Youth, 2012 Budapest: Foundation of Youth Affairs Experts, pp. 149-174 (2014)
- Márk Birinyi, Zoltán Györgyi, Andor Szócs: Regional aspects of vocational training. In: Helga Andl; Zsófia Molnár-Kovács (eds.) School in social space and time 2011-2012: Volume II Pécs, University of Pécs, Faculty of Humanities, Institute of Education, "Education and Society" Doctoral School of Education, pp. 200-210 (2013)