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Lennard J. Davis. *Enabling Acts: The Hidden Story of How the Americans with Disabilities Act Gave the Largest US Minority Its Rights*. Boston: Beacon Press, 2015. 296 pp. \$26.95 (cloth), ISBN 978-0-8070-7156-4.

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On July 13, 1990, Senator Tom Harkin (D-IA) declared in American Sign Language on the floor of the US Senate, “The ADA [Americans with Disabilities Act] is the twentieth century’s Emancipation Proclamation for all Americans. Today the United States Senate will say that the days of segregation, the days of inequality, are finished. By winning your full civil rights you strengthen ours” (p. 215). In his examination of the ADA, *Enabling Acts*, Lennard J. Davis argues that the law shifted disability from a framework of charity and “as a purely medical condition or a rehabilitation opportunity” to one where focus was on civil rights and in which “the right of individuals to have access to the world that everyone else is part of” became the central aim of policy (p. xiii). As the first scholarly monograph to focus exclusively on the drive to pass this significant and transformative legislation, *Enabling Acts* is an important contribution to the fields of disability studies and disability history and will no doubt inspire further historical inquiry.

Davis writes that “trying to find a moment when the ADA began is like trying to find the source of the Nile or the Amazon.” He identifies several “tributaries” that merged to create the momentum for the ADA (p. 7). Davis points to the Architectural Barriers Act of 1968 and the Civil Rights Act of 1964, which Hubert Humphrey attempted to amend to extend civil rights protections to people with disabilities in 1972. He also notes “the slow accumulation of civil rights legislation” that “transform[ed] the bedrock of the laws of the land,” making the ADA possible (p. 9). But he narrows in on a few particular streams: the Rehabilitation Act of 1973, with its Section 504 that banned discrimination against dis-

abled people in programs receiving federal funding; the Disability Rights Education and Defense Fund (DREDF), an organization with roots in Berkeley’s Center for Independent Living that worked to build support for civil rights legislation for people with disabilities among the civil rights community and Washington insiders; and a series of connections, dubbed by Davis “the Texas connection,” that brought Lex Friedan and Justin Dart Jr. to serve on the National Council on Disability, a committee with new influence because of the work of Representative Steve Barlett (R-TX) and the goal of developing a civil rights-focused disability legislative agenda. While Davis does not dismiss the importance of activists in pushing for the ADA, he argues, “As important as the street activism was, the work of unheralded staffers and lobbyists laboring in the corridors of Washington was equally if not more important.” Ultimately, he presents the history of the ADA’s passage as a prolonged negotiation between politicians, staffers who managed “the tedious and arduous work of writing the legislation and organizing the hearings,” and activists who brought public pressure to bear when the process slowed (p. 17). Disability rights and movement history have garnered considerable attention in the field of disability studies over the past few decades. Much recent work has highlighted a rich and vibrant history of disability rights while also pushing at narratives that depict the disability rights movement as arriving late to civil rights organizing and as only a recipient of the knowledge of other movements.[1] Because *Enabling Acts* seeks to make the ADA’s history accessible to a wider public, Davis engages less directly with this scholarship.[2] Still, he presents an engrossing story of the ADA.

With vivid details, Davis paints the personal and political histories of key players in the fight for the ADA. Drawing on extensive interactions with these individuals, Davis shows how the personal became political and how personal connections and characteristics shaped the campaign. For example, readers learn that Evan J. Kemp Jr., who ran the Disability Rights Center, pursued a federal career—first at the Internal Revenue Service and then at the Securities Exchange Commission (SEC)—because of the disability discrimination he had encountered in pursuing work in a law firm. Further, Davis recounts the infuriating story of how Kemp, who as a young man had been diagnosed with Kugelberg-Welander disease, a condition that causes spinal muscular atrophy, sought permission to park in the agency’s garage because the walk from the parking lot was difficult. The agency refused but told Kemp to use the garage entrance to enter the building as he walked from the parking lot. In 1971, the garage door malfunctioned, crushing Kemp and further limiting his mobility. The SEC deemed Kemp, now a wheelchair user, “too disabled” for promotion to a supervisory role. He successfully sued the SEC, but as Davis writes, “With the history of prejudice inscribed on his body, Kemp was now more than willing to take up the cause of disability discrimination” (p. 27). He gained the attention of DREDF activists when he penned a *New York Times* op-ed focused on the harms the Jerry Lewis Muscular Dystrophy Telethon did to disabled people in casting them as children to be pitied. Over time, Kemp’s involvement with DREDF grew. Activists convinced him to change parties—reimagine himself as a Republican—to expand for the disability rights cause the range of connections and ability to lobby. Highlighting the power of personal connection, Davis shows how Kemp’s “ferocious” bridge game gave him access to C. Boyden Gray, who served as chief White House counsel for Presidents Ronald Reagan and George H. W. Bush. Through Gray, Kemp and disability rights activists had access to the White House, a connection that proved vital in the fight for the ADA. Davis excels at elucidating how individuals—in many cases individuals with considerable privilege—exerted influence in developing the ADA.

Enabling Acts draws extensively on oral histories. Davis conducted interviews with more than fifty individuals, “who were on the scene, and behind the scenes, in the legislative process,” as well as lobbyists and activists, in some cases interviewing individuals more than once. He conducted some of the interviews in person and others by telephone or through written correspondence. Understanding the “slippery” nature of truth and the prob-

lems of memory, Davis writes that he worked “to double-check informants’ claims” and drew on contemporary printed sources when possible (p. 257). As *Enabling Acts* aims to engage a wider public, historians might be somewhat disappointed that fully retracing Davis’s research will be difficult as “for reasons of efficiency” he limited endnotes, deciding not to include citations for material drawn from the *Congressional Record* or his interviews (p. 258). Historians grounded in the methods of oral history might also long for a deeper discussion of interview methods. His interviews are likely to be a powerful source for future historians, and one might hope that they will be preserved in a publicly accessible archive if they are not already.

Davis’s tight focus on the legislative history of the ADA is one of the great strengths of *Enabling Acts*, and this emphasis will undoubtedly prompt further work to stretch and expand the focus, both to trace the varied sources of the “tributaries” that Davis identifies and to examine confluences of disability rights and other social movements. For example, Davis discusses the inclusion of HIV/AIDS in the ADA, the role of LGBT individuals in the disability rights community in persuading the disability rights community to push for inclusion, and legislative efforts to block this effort. This example, among many, suggests the rich ways in which Davis’s work will open the door to deeper analysis of the disability rights movement, but also the interwoven histories of US social movements. *Enabling Acts*, as Davis writes, “recount[s] the complex and sometimes secret history” of the ADA (p. xiii). At times, however, historians may wish that Davis had brought more of the richness of his storytelling to the broader historical context of disability, social movements, and policy history. Davis’s discussion of rehabilitation policy provides an instructive example: US rehabilitation policy historically treated disabled veterans and civilians differently with separate legislative mandates—one a response to causalities of war, the other a response to the causalities of industrialization. These distinctions, glossed over in Davis’s broad sweep, shaped both disability policy and activism, and this wider context no doubt would have brought additional nuance to Davis’s discussion of rehabilitation policy and interactions between civilian and veteran disability rights organizations.

To illustrate the long-term impact of the ADA, Davis extends his history beyond the act’s passage in 1990. He discusses the drafting and revising of the regulations that would guide the implementation of the law and how the ADA’s protections fared in the courts. A series of court

cases turned on the issue of defining disability: Davis notes, “Under the new rulings, if you were fired for having a disability that was correctable, you could not sue because although you were fired for that very disability, you actually weren’t disabled” (p. 233). One of the key issues in the courts was the ADA’s definition of disability. Davis, therefore, gives attention to the ADA Amendments Act of 2008 that pushed back at this narrowing of the original law’s intent, clarifying how disability should be defined under the law. He writes, “The Amendments Act sought to rid the ADA of the problematic phrase that disability was an impairment that ‘substantially limits one or more life activity’ and to simply say flat out that disability was a ‘physical or mental impairment’” (p. 238). He also examines an important difficulty inherent in the ADA: “to get it to work, you have to go litigious” (p. 247). Davis notes the complex negotiations that might make people with disabilities hesitant to claim ADA protections. While he takes the time to assess the ways that the ADA has not always met the expectations of the disability rights community. and the many people who helped to make it a reality, Davis ends by describing the everyday experiences of people with disabilities nearly twenty-five years after the bill became law—experiences often made possible by the ADA.

On the whole, Davis’s *Enabling Acts* offers an important examination of the legislative history of the ADA. He makes a strong case for the power of a historical moment, personal connections and experience, and committed individuals inside and outside the halls of power. Indeed, Davis points out that many of the lawmakers who shaped the ADA insist that the bill would not have passed if the vote had been in 2015. Given the current effort to slash a wide range of disability policies that enable independent living and access, one assumes that the sentiment would hold true today. This political reality makes Davis’s work all the more important.

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Notes

[1]. For example, see, Lindsey Patterson, “Points of Access: Rehabilitation Centers, Summer Camps, and Student Life in the Making of Disability Activism, 1960-1973,” *Journal of Social History* 46, no. 2 (2012): 473-499; Lindsey Patterson, “The Right to Access: Citizenship and Disability, 1950-1973” (PhD dissertation, The Ohio State University, 2012); Fred Pelka, *What We Have Done: An Oral History of the Disability Rights Movement* (Amherst: University of Massachusetts Press, 2012); Sarah F. Rose, “The Right to a College Education? The G.I. Bill, Public Law 16, and Disabled Veterans,” *Journal of Policy History* 24, no. 1 (2012): 26-52; Felicia Kornbluh, “Disability, Antiprofessionalism, and Civil Rights: The National Federation of the Blind and the ‘Right to Organize’ in the 1950s,” *Journal of American History* 97 (March 2011): 1023-1047; and Susan Schweik, “Lomax’s Matrix: Disability, Solidarity, and the Black Power of 504,” *Disability Studies Quarterly* 31, no. 1 (2011), <http://dsq-sds.org/article/view/1371/1539>.

[2]. Key histories that shape Davis’s work on the ADA include: Pelka, *What We Have Done*; Doris Zames Fleischer and Frieda Zames, *The Disability Rights Movement: From Charity to Confrontation* (Philadelphia: Temple University Press, 2011); Ruth Colker, *The Disability Pendulum: The First Decade of the Americans with Disabilities Act* (New York: New York University Press, 2005); Richard Scotch, *From Good Will to Civil Rights: Transforming Federal Disability Policy* (Philadelphia: Temple University Press, 2001); Jonathan M. Young, *Equality of Opportunity: The Making of the Americans with Disabilities Act* (Washington, DC: National Council on Disability, 1997); and Joseph Shapiro, *No Pity: People with Disabilities Forging a New Civil Rights Movement* (New York: Crown, 1993).