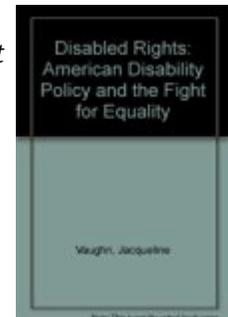




**Jacqueline Vaughn Switzer.** *Disabled Rights: American Disability Policy and the Fight for Equality.* Washington: Georgetown University Press, 2003. 328 pp. \$49.95, cloth, ISBN 978-0-87840-897-9.



**Reviewed by** Stephen Gulley

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Take Joseph Shapiro's journalistic sensibilities, add Edward Berkowitz's policy analysis skills, flavor to multidisciplinary taste with noted works from the fields of political science, history, sociology, psychology, and economics, and one has the recipe for a trenchant analysis of contemporary disability policy. Such is the case with Jacqueline Vaughn Switzer's book, *Disabled Rights: American Disability Policy and the Fight for Equality*.

In one way or another, the book touches on most major areas of disability policy, including education, work, income supports, housing, transportation, health care and rehabilitation, mental health, assistive technology, physical accessibility, and independent living to name but a few. But fundamentally, this is a book about civil rights and the historic struggles people with disabilities and their allies have faced in securing and expanding their rights in each of these areas. Disability is construed broadly. As readers turn the pages, they find intersecting discussions that describe policy issues relevant to people with developmental disabilities, deafness, blindness, mental health conditions, chronic medical conditions,

and physical disabilities. The author strikes a balance between the universal and the particular on this front; much common ground is found cutting across disability without sacrificing those histories or issues that are unique to particular disability groups. For the most part, people are also construed in a broad manner. One will find discussions of issues concerning children with disabilities and their parents alongside discussions of elders and the prototypical working-age adult. Interwoven in the text, there are also scholarly comparisons (and contrasts) between the disability rights movement, the movement for civil rights (based on race), and the women's movement. Some readers might suggest that a book with such a deliberate focus on civil rights should attempt deeper analyses on the basis of race, sexual preference, gender, and social class than are proffered here. I disagree. As a macro-level book on disability that already cuts across so many areas of public policy and lived experience, such attempts would either lead to an untenable scope or read as reductionism.

But how, then, would one write a book that covers so much territory and still find something meaningful to say? The author begins with an inescapable truism: public policy (disability-related or otherwise) can only be fully appreciated by examining the historical context in which it evolves. In turn, this implies that some lens is needed to help us interpret policy in light of changing times as history takes us from one context to the next. The author finds such a lens in the "policy cycle model" attributed to the work of James Anderson and John Kingdon. In this model, policymaking is understood as ebbing and flowing over history, yet as moving through identifiable periods, including agenda setting, formulation, legitimation, implementation, and evaluation. The actors in this model are often called "stakeholders" (whether they are individuals, advocacy groups, businesses, or institutions of government) and their interactions are bound by shifting tides of social, political, and economic life. When these tides hit the shore, a "policy window" is said to open, and an issue may then advance onto the agenda, or from there onto formulation, and so forth. This policy cycle model forms an unobtrusive backbone for the book. Topic by topic, readers learn about the historic backdrop, the key stakeholders involved, the sometimes unlikely partnerships that were formed, the battles that ensued, and the all-too-incremental accords that were most often reached. Readers are so drawn in by the stories told along the way, they almost forget they are reading a scholarly analysis.

Almost. Having read the introduction and first chapter, readers think they know what to expect—a series of historical narratives as viewed through a policy analyst's lens. Then they will turn the page to chapter 2, "History of Segregation and Stereotypes." They will be met with the words "This chapter seeks to provide an overview of the values and attitudes that have become part of the political environment in which American disability policy has evolved over the past 100 years" (p. 30). Sure enough, there is a rich historical narra-

tive, especially drawing upon works by Robert Funk, Richard Scotch, and James Trent. Yet the analyses are just as much sociological (Beatrice Wright) and social psychological (Simi Linton) as they are from political science. Chapter 3, "Compensation and Rehabilitation," winds its way forward from the earliest efforts to extend support to revolutionary war veterans to the Ticket to Work Act of 1999. By the time readers reach the end of that chapter, they have added economics and legal studies to the list of disciplines upon which the author expertly draws. Readers may find themselves wanting to object to the author's pace—from the Revolutionary War to 1999 in one chapter. But then the finely detailed timelines of important policy developments are offset from the main text as tables and appendices. Moreover, readers will discover that each chapter builds upon the last.

A much-needed perspective on the history, nature, and composition of disability organizing, interest groups, social movements, and collective action is found in chapter 4. But the revolution (albeit a quiet one) is at hand in chapter 5, entitled "The ADA and the Vision of Equality." Before the revolution, however, we receive another policy history lesson, adding further detail to some forty years worth of legislation and activism that preceded the ADA's passage. In concert with the preceding chapters, the stage is now set, and the author goes on to write:

"What makes the ADA an important case study is the fact that the statute is not just one more example of how a bill becomes law. The story of the ADA could have followed a very predictable process of introduction, debate, vote, and signing that is so often taught in school classrooms. Instead, this book argues that the ADA was enacted as a result of several specific, identifiable factors that, at another time, might have failed. It passed because the policy window opened for a steadily growing, cohesive coalition of groups that were able to take advantage of their political support within Congress when the political environ-

ment was favorable to their interests. [This] chapter chronicles how that happened" (p. 94).

Indeed it does. And once again, these chronicles are so well written, they make the scholarship practically transparent.

Chapter 6, "The ADA as Policy," then charts the path of this act from its infancy to its troubled adolescence. Beginning with a review of its five titles and some speculations over the intent of Congress, the chapter follows the ADA through the rulemaking processes at the Equal Employment Opportunity Commission, the Department of Justice, and other governmental agencies--and from there, on to implementation, enforcement, and finally litigation. A number of Supreme Court decisions are reviewed. Key legal controversies are then summarized, including the constitutionality of the ADA and states rights, the boundaries of such terms as "reasonable accommodation" and "undue hardship," and the intended scope of the law.

Chapter 7, "Life beyond the ADA: Policy Hot Buttons," is organized as a series of mini-essays on some of the most compelling and controversial policy issues, people, and events of our day. These essays cover reproductive rights and technology, euthanasia, Jerry's kids and telethons, Christopher Reeve, deaf culture and the cochlear implant, community-based services and the Olmstead decision, violence against people with disabilities, and more. And while this may seem like a laundry list at first glance, the author subtly steers her readers to recognize that at the core of each of the controversies is a question about human rights--whether the right to exercise control over one's body, the right to parent, the right to move freely in society, the right to identify oneself as one sees fit, even the very right to be.

The final chapter is entitled "Status Report on Equality" and in it, the author reviews what is known about access, participation, and quality of life for people with disabilities in the United States. The findings of this report cover such top-

ics as attitudes and public opinion, employment, voting and political power, physical accessibility and access to technology, transportation, health care, personal assistance services, and housing. Readers will rediscover how much progress has been made in some areas--and how little in others. They will be reminded that as triumphant as the passage of the 1990 ADA was, it was every bit as much a troubled beginning as it was a happy ending.

There is one final matter. The book should be used as a teaching tool. Not only will it serve as an introduction to disability policymaking (for undergraduates and graduates alike), it does more than just introduce, it invites further research. Spanning almost one hundred pages, the author has given students a real gift in her appendices and notes, which contain a topical bibliography, a selected list of disability periodicals and media, an extensive list of disability organizations, and more. In other words, those ideas and histories that are sacrificed to brevity in the main text can be more fully explored with a simple trip to the library. And while this book will hold the interest of most any reader, it is the kind of book that will have students hungering for more.

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