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Disability Policy and Politics:

Considering Consumer Influences

Paul K. Longmore, *San Francisco State University*

This historical case study of the League of the Physically Handicapped, a disability-rights activist group in Depression-era New York City, examines some of the ways in which people with disabilities have contested and endeavored to alter the public policies and social values that have affected their social identities and social careers. It also explores the interconnections among policies, values, and disabled and nondisabled identities. In addition, it suggests that there may have been an implicit disability-based political tradition.

The dominant ideology of disability during the modern era has been—and continues to be—a medical paradigm. That medical model defines disability as the inability to perform expected social roles because of chronic medical pathology. It presents disability as a social problem, but it makes deviant individual bodies the site and source of that problem. This formulation inevitably prescribes as the solution individual medical or quasi-medical treatments to cure or correct deviant bodies and deviant behavior. By locating the causes of alleged social incapacity within “afflicted” individuals, the medical model thereby reduces disability to a series of individual case histories and largely excludes consideration of cultural, social, and political factors in the construction of “disability.” This production of disability as a medicalized and individualized social problem occurred largely during the late 19th and early 20th centuries, as policymakers and health-care, charity, social-service, and educational professionals institutionalized the medical model in both public policy and professional practice.

In contrast, proponents of sociopolitical models of disability question the explanatory power of the medical model. They reject as simplistic the medicalized perspective that physiological impairments in and of themselves determine the social experience we call disability. Instead, they see the disability experience as shaped by the interaction between people with such impairments and sociocultural environments, architectural/technological designs, and—especially relevant

for this seminar—public policies. From this perspective, disability is not an array of pathological clinical entities situated in individual deviant bodies. It is not an objective thing that is—most important for policy purposes—readily measured and verified by medical or quasi-medical methods. Disability is, instead, an elastic social category. It is formed and reformed by public policy and professional practice, and underlying them, by societal arrangements and cultural values. Thus, disability is a series of changeable, indeed unstable, culturally constructed identities and roles. In addition and of central importance, during the modern era people with a diverse assortment of disabilities have encountered a standard set of stigmatizing cultural values and social hazards. Those biases and dangers have been reflected and reinforced in public policies (Gliedman & Roth, 1982; Hahn, 1985; Longmore, 1985, 1987; Oliver, 1989; Roth, 1983).

My purpose is to examine some of the ways in which people with disabilities have contested and endeavored to alter the public policies and social values that have affected their social identities and careers. I also want to explore the interconnections among policies, values, and disabled and nondisabled identities; and I want to suggest that there may have been an implicit disability-based political tradition. I will do this through a historical case study of a long-forgotten group that called itself the League of the Physically Handicapped.

In New York City in the early and mid-1930s, a number of physically disabled young adults yearned for the self-dependence and dignity supplied by employment. However, when they sought work, they encountered bias. Some employers required job applicants to take physical exams unrelated to the tasks of those jobs. Florence Haskell, who

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walked with crutches, recalled a job interview for a secretarial position:

The man told me . . . "I'm afraid you'll have to take a physical." . . . I was really hit between the eyes. I never visualized that [my handicap] would be a reason for me not to get a job. . . . He *disqualified* me. . . . I was very hurt, upset, and mad.

Sylvia Flexer used crutches and wore a leg brace. She wanted to teach English or be a librarian but found she "couldn't get a job. But not because there was a Depression. I found I couldn't get a job because I was handicapped." So she enrolled at the Drake Business School, excelling at stenography and typing and on the adding machine. "In my naivete, I figured, 'I'll graduate from the Drake Business School and they're all going to grab me.' . . . Well, nobody grabbed me. . . . Some people who graduated got jobs who weren't, they didn't begin to be as good as I was."

Rejected by private businesses, Flexer and other handicapped people took jobs in charity-run sheltered workshops. "And finally I got a job," she remembered, still indignant decades later, "at the *Brooklyn Bureau of Charities*, who *only hired* handicapped people. It was a mail-order, and it was the Brooklyn Bureau of Charities. . . . What a terrible name to work for. . . . It was a great injustice. And I didn't know what to do. I didn't know what to do."

Disabled individuals who managed to find work might obtain only part-time or temporary jobs, and at lower pay. Lou Razler, for example, had mild cerebral palsy. After graduating from high school, he spent a year at a business college and then 5 years vainly searching for a permanent job. Workers with disabilities from then until now have also complained that they faced wage discrimination. Jack Isaacs had lost his left leg in an industrial accident. In 1927, he worked as a linotypist. He said he "turned out just as much work" as the men alongside him but was paid only \$15 a week, while the other men were paid three times those wages. Isaacs claimed his lower pay was because of his disability. In the 1980s, the economists William Johnson and James Lambrinos confirmed that late-20th-century workers with disabilities continued to experience wage discrimination (Johnson & Lambrinos, 1985).

Blocked by bias in private industry, these and other physically handicapped young adults turned to New Deal work programs, expecting to get work-relief jobs just like non-handicapped workers. The unprecedented crisis of the Great Depression compelled many Americans to rethink their expectations of the federal government's proper role in ensuring their general welfare. Millions of working-class citizens concluded that the national state must provide adequate welfare and work relief. Many handicapped job seekers also came to expect government action on their behalf, but they found that the professedly reformist WPA was designed to create jobs for "able-bodied" unemployed persons, and handicapped workers were categorized as "unemployable." The latter would be

relegated to local relief. New York City's Emergency Relief Bureau (ERB) had been offering jobs with the city to some home-relief recipients, but in the spring of 1935, adhering to WPA policy, the bureau began automatically rejecting handicapped persons for municipal work-relief jobs. When a group of young adults who frequented a Manhattan recreation center for people with disabilities discovered that their government would willingly aid unemployed "able-bodied" Americans but classified out-of-work persons with disabilities as unemployable, they decided to take action.

On Wednesday, May 29, 1935, these six young adults from the rec center entered ERB headquarters and demanded to see Director Oswald W. Knauth. One of them was Florence Haskell, who had been "disqualified" for a secretarial job because of her disability. Told that Mr. Knauth would be unavailable until the following week, the six sat down and said they would stay there until Knauth met with them or, vowed their leader Hyman Abramowitz, until "hell freezes over." The next day a large crowd gathered to support them and to demand jobs for themselves. The turmoil in the street alerted newspaper reporters to the protestors upstairs. Abramowitz charged the ERB with discriminating against persons with handicaps in assigning relief jobs. The "strike" would continue for another 8 days, drawing extensive coverage in New York's newspapers and even the *Washington Post*.

By Saturday, the fourth day of the sit-in, the number of nondisabled demonstrators on the street had dropped dramatically, but nine physically disabled picketers walked the line. Lou Razler, the former business college student, read about the protest in the *Daily News*. "As soon as I read about it I went down," he recalled. "I joined the line. I figured, 'I got nothing to lose.'" That evening, the picketers strategized and called for "mass support and mass demonstrations."

On Monday, June 3rd (Day 6), Knauth finally met with the strikers. Abramowitz demanded 50 jobs immediately for "League" members and 10 more each week thereafter. They must get wages of at least \$27 a week if they were married, \$21 if single. Furthermore, disabled workers must be integrated with nondisabled workers, not placed in special segregated projects. Knauth rebuffed these demands but said he would "investigate." "That's not a good enough answer," Abramowitz exclaimed. "We want jobs and we're going to get them." We are "not just as any other group. We are all handicapped and are being discriminated against." But Knauth responded that the city owed unemployed disabled people nothing beyond home relief. "This is not an organization to give work to those who are permanently unemployable," he said. Then he offered contradictory advice: If they wanted jobs, they should go to private businesses. Abramowitz ended the confrontation by blasting those who offered handicapped people charity instead of work.

For another 3 days, Abramowitz and two other protestors continued to occupy the ERB office. And each day, picketers on the sidewalk, most of them handicapped, supported them. By Thursday, June 6th, the ninth day, the shouting and

singing on the sidewalk had become unbearable to the office building's occupants, so Knauth had the police called in. They arrested 11 protesters, 8 of them handicapped. One was Jack Isaacs, the amputee ex-linotypist. ERB officials persuaded the strikers upstairs to end the sit-in, but later that day "about twenty-five crippled protesters and 300 sympathizers" demonstrated at 54th Street and Eighth Avenue and then at the WMCA radio station on Broadway.

On Friday evening, June 7th, the leaders met once more with Knauth. This time Knauth said he could not promise jobs right away but hoped additional WPA funds would go for that purpose. On Saturday, 10 to 12 handicapped picketers and perhaps 50 nonhandicapped supporters circled in City Hall Plaza. Unsuccessfully demanding an interview with Mayor LaGuardia, they moved on to Foley Square, heard some speeches, and went on their way. Thus ended the first actions of the League of the Physically Handicapped. For 11 days, they had seized New York's attention and compelled relief officials to deal with them.

The budding activists formally organized themselves and began to recruit members among their acquaintances. Recalled Sylvia Flexer Bassoff, "Pauline Portugal [one of the original six strikers] came to me at the Brooklyn Bureau of Charities. She says, 'There is a group of handicapped people organized for jobs. Suppose you come to the meeting tonight.' And I said, 'Jobs! Anything to get out of here.'"

Half a year later, in November 1935, the League evidenced growing political shrewdness as it set up a picket line in front of the newly created New York City WPA. Jack Isaacs directed this better planned protest. Their flyer declared, "The Handicapped still are discriminated against by Private Industry. It is because of this discrimination that we *demand* the government recognize its obligation to make adequate provisions for handicapped people in the Work Relief Program." League members had learned to use their personal stories to explain the issues to reporters: "The Physically Handicapped . . . cannot get regular jobs as teachers or librarians in New York State. . . . Even a typist must pass a physical examination. . . . In private business the Physically Handicapped invariably are discriminated against. They work harder for less wages." Three weeks of picketing prodded the local WPA to hire approximately 40 members.

That success spurred the activists to agitate about local and federal policies regarding all physically handicapped job seekers. By January 1936, they were again marching in front of New York City's WPA. This new action induced the New York WPA in April to promise still more jobs. During the next year, it would hire some 1,500 handicapped New Yorkers. But local WPA officials advised that only Washington could address the League's concerns about the policy of categorizing workers with disabilities as "unemployable." In an audacious series of moves in late April and early May 1936, League leaders wrote and telegraphed WPA chief Harry Hopkins and President Roosevelt and maneuvered themselves into an appointment at WPA headquarters.

So, on Friday evening, May 8, 1936, 35 delegates (14 women and 21 men) rode all night on a borrowed flatbed truck to the nation's capital. At WPA headquarters, Labor Relations Director Nels Anderson told them not only that Hopkins was away, but that the WPA offered work relief only for "employables." New York City's local relief would have to address their problems, he said. The delegates exploded. Sylvia Flexer, 21 years old and the League's president, announced: "We are going to stay here until Mr. Hopkins does see us. Until then, nothing can make us leave." The next day she said that league members were "sick of the humiliation of poor jobs at best [and] often no work at all." They wanted "not sympathy—but a concrete plan to end discrimination . . . on WPA projects." Harry Friedman, the League's press spokesman, demanded that the WPA set nationwide quotas for hiring workers with disabilities. The protesters occupied the offices that entire weekend. At last, on Monday morning, Hopkins met with five leaders. They demanded 5,000 WPA jobs for handicapped workers in New York, "a permanent relief program for the physically handicapped . . . and a Nation-wide census of the physically handicapped" paid for by the WPA but managed by the League. Hopkins rejected the charge that the WPA discriminated against people with disabilities. He did not believe that there were 5,000 employable handicapped people in New York, but if they came back with proof, "a thesis . . . show[ing] such discrimination," he promised to "correct those conditions at once." As Harry Friedman became more confrontational, Hopkins abruptly walked out. The delegates left for home, pledging to return with a "thesis."

As League leaders prepared that thesis, they struggled to safeguard the hard-won WPA jobs in New York and to open more. In September 1936, the local WPA director promised to set aside a minimum of 7% of all future WPA jobs for workers with disabilities. But that achievement was reversed in spring 1937 when WPA offices nationwide began massive layoffs. In New York City, more than 600 handicapped WPA employees lost their jobs. In late June, League leaders telegraphed Harry Hopkins, warning of "drastic actions unless all cuts [were] stopped and dismissed persons reinstated." But the firings continued. So, in mid-August, another League delegation went to Washington, hoping to meet with Hopkins or Roosevelt. They did see Hopkins, issuing to him both their earlier demands and some new ones. They now wanted the WPA to pledge to hire all handicapped workers. This lobbying effort failed. And, in about another year, the League of the Physically Handicapped itself folded. In the end, the League failed to change federal policies affecting citizens with disabilities, but it did have some success in opening public-sector jobs to workers with disabilities. Most of the core leadership ultimately pursued civil service careers.

The historical significance of the League of the Physically Handicapped stems from its perspective on disability and disability policy and from comparing the League and its perspective with other disability-based political movements and with the views of policymakers and professionals. Who were

the members of the League? Why did they become political activists about disability?

Most of the individuals who formed the League had had low-spinal polio in childhood. As a result, many of them wore leg braces and used crutches or canes. A few members had cerebral palsy, tuberculosis, or heart conditions. At least two were amputees due to injuries. No members used wheelchairs or were deaf or blind. More important than their similar physical conditions, they shared similar backgrounds and experiences that engendered a sense of solidarity among them. Most came from working class, Jewish, Southern or Eastern European immigrant families. The parents of some had urged them to pursue education and employment. With high school diplomas and, in some cases, additional vocational or college study, they were better educated than most physically handicapped people. In addition, some League activists had met in elementary school special education classes. After high school, they enlarged their network of disabled friends through "base-ment clubs" organized by handicapped young people and at summer camps and recreation centers run by social service agencies for handicapped people. League members' similar disabilities, similar backgrounds, and shared school and post-secondary experiences promoted a sense of commonality. This nascent group identity, in turn, provided the basis for development of an oppositional political consciousness. Socializing with disabled friends gave them opportunities to talk about encounters with job discrimination, to verbalize and legitimize their resentment about employers' biases and biased government policies, and to discuss how they might oppose these practices and policies.

This metamorphosis from social network of disabled people to political organization illustrates a pattern in 19th- and 20th-century U.S. disability history. Graduates of the deaf and blind schools established alumni associations and social clubs so that they could continue their school friendships and offer mutual support. Over the years, these fellowships extended their purposes to address economic and political issues. Deaf associations lobbied for state deaf vocational bureaus and fought against oralism, civil service discrimination, denial of driver's licenses, and New Deal policies about "unemployables." Blind organizations condemned means-tested poor relief and sheltered workshops and lobbied for guide-dog and white-cane laws. All of these groups contested professionals' power (Matson, 1990; Van Cleve & Crouch, 1989). Thus, schools and other facilities, usually created by nondisabled benefactors, inadvertently enabled people with various disabilities to transcend their natural geographic dispersion and lack of generational continuity and construct informal social networks and formal self-directed organizations. Those formations then served as sites for the fashioning of oppositional consciousness and collective resistance to the dominant ideology of disability.

The League's challenge to that ideology was also encouraged by the general activism spurred by the Depression crisis and by the leftist and labor backgrounds of the League's key

leaders. In copying the arguments of labor and leftist activists, the League typified another pattern that has appeared in disability-based political movements. League members welcomed support from Communist, Socialist, and other radical allies, but, like many of their working-class White and Black contemporaries, league members followed radical leaders not to transform society but pragmatically and only until they gained their personal objectives: the economic security, social validity, and personal control of their destinies that they believed jobs would ensure. Likewise, during the 1940s, Jacobus ten Broek, first president of the National Federation of the Blind, drew parallels between the organized blind movement and the labor movement and sought alliances with unions. Late in the 20th century, activists in various disability groups often learned advocacy by participating in the Black civil rights, feminist, antiwar, and labor movements. All disability movements have borrowed, and adapted to their own situations, the analyses and tactics of contemporaneous social-justice movements. But whatever the sources of influence, disability movements have typically espoused liberal reformist, rather than radical transformative, political agendas (Matson, 1990; Scotch, 1985).

Thus, various disability groups came to view their condition as not primarily medical but, more significantly, social and political—of minority status that necessitated collective political action to resist discrimination. The League's beginnings were unique, but its origins paralleled those of other disability-based political movements. Sylvia Flexer Bassoff said,

What started it was [finding] out that jobs were available, that the government was handing out jobs. . . . [E]verybody was getting jobs: newspaper people, actresses, actors, painters, and only handicapped people weren't worthy of jobs . . . without giving us a chance. . . . Those of us who . . . were militant just refused to accept the fact that we were the only people who were looked upon as not worthy, not capable of work.

Repudiating the view of disability as individual medical pathology, vocational incapacity, and social invalidity, these disabled young adults—and other groups of people with disabilities at other times in other places—engaged in activism that asserted it was instead a minority status and a political issue.

The League's challenge to the dominant ideology of disability points to another objective of all disability-based political movements: to address not only disability issues, such as job discrimination, but also disability *identities*. New York's city officials and newspapers purveyed common (though contradictory) stereotypes about "cripples." At times displaying notable hostility, they depicted the activists as (a) pathetically helpless and manipulated by Communists, (b) manipulative, or (c) dangerously out of control. Meanwhile, the protestors' supposed supporters on the Left exploited stereotypic views

of the helplessness, vulnerability, and pathetic condition of "cripples." Public officials and the mainstream press used the stereotype to discredit disabled activism; the *Daily Worker* used it to discredit capitalism. The mainstream media further referred to them as "paralytics" or "invalids," while the *Daily Worker* sometimes called them "paralysis victims" or "helpless crippled people." League leaders spurned all of those labels as stigmatizing and consistently called themselves "handicapped." The differences in terminology represented underlying competing views of disability identity.

League activism in itself challenged the reigning identity-defining stereotypes. Militant tactics, along with slogans such as "We Don't Want Tin Cups. We Want Jobs," demanded not only employment but also social dignity. The League members' boldness is even more noteworthy given that era's opinion of "cripples." Whereas the President of the United States thought it necessary to hide or minimize his disability, league members resisted social prejudice by engaging in public protests. "It was a very traumatic experience to even decide to get on a picket line, because we all shuffled along with braces and crutches," recalled Sylvia Flexor Bassoff. "We were all terribly embarrassed . . . [but] we wanted jobs more than we were intimidated. . . . It wasn't done easily." "You have to understand," explained another member, "that among our people, they were self-conscious about their physical disabilities. . . . They didn't like being stared at. They didn't want to be looked at. But after that experience, they decided, 'Let them look,' you know, 'Look back, stare back at them.' . . . I think it not only gave us jobs, but it gave us dignity, and a sense of, 'We are people too.'" The League's public actions thus foreshadowed later disability movements by joining the issue politics of protesting job discrimination with an implicit identity politics of self-redefinition (Anspach, 1979).

But the League's view of the issues and of disability identity focused narrowly. They declared solidarity only with people having certain kinds of handicaps; they never allied with the national and state Deaf associations, which were also battling WPA discrimination. This pattern of organizing those with particular disabilities and keeping public distance from other disability groups has been manifest in many disability-specific political associations, such as the National Association of the Deaf, the National Federation of the Blind, and various activist organizations of "psychiatric survivors." A new political pattern appeared in the late 20th century as cross-disability coalitions emerged to promote universalistic disability rights provisions, such as Section 504, the Individuals with Disabilities Education Act, and the Americans with Disabilities Act. These confederated efforts claimed that all people with disabilities face institutionalized discrimination rooted in a common set of social prejudices and therefore should act in political solidarity. By the mid-1980s, the Harris poll could document a cross-disability minority-group consciousness emerging among a younger generation of adults. This new, nascently politicized disability constituency was much more diverse than those represented in the League and other disability-

specific groups. As a result, it advocated for a much wider range of issues, such as universal accessibility. Meanwhile, some health charities (e.g., the National Easter Seal Society, the United Cerebral Palsy Association, the American Diabetes Association), which were founded to support medical research and treatment, took on political advocacy roles to ensure protection of their constituents' civil rights. All of these developments evidenced a shift away from a purely medical model of disability to increasing politicization within a minority model.

The connections among identity, issues, and ideologies of disability is further illuminated by comparing League members with President Roosevelt. In contrast to their social network, FDR's associations with a great many people with disabilities occurred within the contexts of medical rehabilitation and charity fundraising. His different experience fostered a different identity and a different ideology of disability. He saw disability as personal affliction and private tragedy best addressed by individual striving to overcome this adversity, and thus he became the literal embodiment of the emerging medical-vocational rehabilitation system. While the League explained the conditions of Americans with physical handicaps in institutional and political terms, Roosevelt, along with policy and rehabilitation professionals, explained them in individual and pathological terms.

The diverging disability politics of FDR and the League was further revealed by the presence in his administration of two networks of Black and female appointees. The "Black Cabinet," or "Black Brains Trust," composed of an unprecedented number of African American administrators, advocated for the interests of the constituency it both represented and helped to generate and legitimize. Meanwhile, Eleanor Roosevelt led the New Deal's network of female reformers, which defined women's and children's issues as its special domain. The efforts of both networks opened administrative positions in work-relief programs to Black and female appointees and produced special WPA outreach projects targeting unemployed African Americans and women. In contrast, although a man with physical disabilities headed the New Deal, and other physically disabled individuals held executive positions in the WPA, no network of politicized disabled advocates emerged. In Depression-era America, the League's political definition of disability was not widely shared, even among people with disabilities, or at least among those from higher status backgrounds. No network of disabled advocates would form within any administration until the Bush and Clinton presidencies, half a century later. They would grow out of a nationally organized disability rights movement and an emergent disability community operating from a politicized ideology of disability.

What was the League's ideology? How did it view disability policies? The League's "Thesis on Conditions of Physically Handicapped" drew on the members' own experience to offer a broad-ranging analysis of handicapped persons' "struggle for social and economic security." It attributed the economic disadvantages endured by this population not to

physical impairments but to discrimination in the private and public job markets, to unjust public policies, and to haphazard and unfair rehabilitation and relief programs. It implicitly rejected the premises of modern policymaking from a distinctive handicapped perspective.

Their disabilities “automatically closed . . . many fields of manual labor” to handicapped job-seekers, but, argued the “Thesis,” “unjust restrictions” and “unfounded prejudices” shut these people out of private-sector jobs in which “physical qualifications were irrelevant.” “The Municipal, State and Federal Governments” also required “the most illogical and unnecessary physical qualifications . . . for positions, which the physically handicapped person, if given a chance, could fill most competently.” This argument foreshadowed the ADA’s provision prohibiting denial of employment if a disabled person could perform the essential functions of a job. The “Thesis” also argued that the federal hiring preference given to veterans, including disabled veterans, provided “ample precedent for giving [disabled civilians] some added consideration” in civil-service hiring. But instead, government work-relief policies and projects introduced bias by indiscriminately classifying all handicapped individuals as “unemployable.”

The “Thesis” next criticized both public and private vocational rehabilitation as “not only inadequate but also detrimental in that it creates the illusion that something constructive is being accomplished.” Due to underfunding, New York State’s Rehabilitation Bureau “had to turn thousands away,” could provide “very limited training” to “those few it did reach,” and during that training “failed” to give them enough assistance for “daily necessities.” Meanwhile, that state’s Employment Agency placed disabled workers in temporary jobs paying “miserably low wages” and even went “so far as to send [them] out . . . as strike-breakers.”

The League also condemned sheltered workshops, singling out three: the Brooklyn Bureau of Charities, where Sylvia Flexer had worked; the Altro Workshop, “an institution created for the rehabilitation of tuberculars” and probably the “workshop for the TB” in which an unidentified League member had felt “very much exploited”; and the Institute for Crippled and Disabled, established in 1917 as a model of vocational rehabilitation. Because the workshops paid only \$3 to \$5 a week, the “Thesis” accused them of “shameful exploitation” “under the guise of social service.” The League thus contested rehabilitation professionals’ opinions about sheltered workshop wages. The National Industrial Recovery Act’s “Substandard Clause” permitted the workshops to pay employees less than the minimum wage. Leading charity and rehabilitation professionals endorsed that exemption. The League, the organized blind movement, and the Deaf associations all condemned it. League members considered professionals to be self-serving. Sylvia Flexer Bassoff recalled that the day after her first League meeting, her boss at the sheltered workshop threatened to fire her if she went to any more. “I don’t think they were too happy at handicapped people becoming independent. Because if handicapped people became independent

economically and were able to get jobs, what do you need the Brooklyn Bureau of Charities for?” The “Thesis” called for a survey to “gather the necessary information upon which to outline a permanent program” of work relief and rehabilitation, and because personal encounters with the existing system had made League members distrustful of social-service agencies and professionals, they felt that that survey should employ handicapped persons. Distrust of policymakers and service providers and the demand for a voice in policymaking and program administration have been common to all disability-rights movements and were expressed in the late-20th-century declaration “Nothing about us without us.”

Although the League advocated employment, its “Thesis” supported “home relief.” In fact, it wanted home relief expanded. Prevented from taking “their proper place in society to support themselves,” many handicapped people were forced to rely on their families, private charities, or home relief. The “Thesis” thus ascribed economic dependency to injustice rather than impairment. Yet the home-relief allowance, scanty for able-bodied recipients, was “doubly insufficient” for handicapped persons who needed supplementary aid for “mechanical appliances and medical care.” And many were refused even this “mere pittance” because of strict eligibility rules. Hundreds denied home relief had to enter “municipal lodging houses, while vast numbers of others [were] reduced to vagrancy . . . and [sank] to the level of beggars.” “Something [must] be done,” demanded the “Thesis,” “to eliminate the necessity of any handicapped individual being forced to resort to begging.”

In conclusion, the League proclaimed that its recommendations were “the very minimum necessary to alleviate the present grave situation of the handicapped.” Then it added sardonically: “Certainly the situation must be grave if [it has] finally made the handicapped articulate.” The League had implicitly presented a repudiation of the “disability category” in modern public policy.

Deborah Stone has elegantly explained the creation of that category. Its rigorous requirements defined *disability* as an absolute inability to engage in productive labor. The aim was to limit access to the need-based system, to keep workers in the work-based system, and to disguise the true levels of unemployment. Yet, Stone and others have described that category as offering a “privileged” position by “excusing” disabled people from having to work and giving them a “ticket” out of the labor force (Berkowitz, 1987; Stone, 1986). They overlook that the policy increasingly restricted people with disabilities from the labor market and society. The disability category’s formulators not only established medical criteria of disability but also fashioned ceremonies of social degradation for persons seeking legitimation of their “need.” They aimed to make poor relief the least desirable option and to ensure that only the “truly needy” would submit to the humiliation and stigma of qualifying for such aid. “Worthiness” of poor relief marked a disabled person as “unworthy” of social respect. The modern state used the disability category to regulate poor and la-

boring people but did so by declaring “the disabled” socially invalid. More than a medical and vocational determination, it was a verdict of social delegitimation that was made both a social identity and a permanent social role.

These developments coincided with intensifying prejudice against disabled people in the late-19th and early-20th centuries. People with a wide range of disabilities were defined not only as incapable of productive labor but also as incompetent to manage their own social careers and even as socially dangerous. Many came under the permanent supervision of professional experts; some were permanently sequestered in institutions. Thus, what in one respect began as an attempt to control able-bodied laborers by limiting access to social welfare benefits was also, or at least became, the creation of a large, stigmatized, and segregated social grouping held in a permanent state of clientage. In terms of social values, this category of persons came to define the limits of legitimate need on the one hand and of social normality on the other. They also served the ideological and economic interests of a range of professional groups in the modern welfare state. Development of the disability category was thus part of a much broader redefinition of the social roles and identities of people with disabilities.

At one level, public policies define who socially legitimate citizens are. The WPA and the Social Security Act were a two-pronged strategy that established mechanisms not only to determine eligibility for two types of public aid—work relief and welfare—but also to define two types of Americans: valid and invalid. In the Depression era, Americans across the political spectrum expressed alarm about the indignity of relief and the morally destructive effects of dependency on it. FDR declared,

In this business of relief, we are dealing with properly self-respecting Americans to whom a mere dole outrages every instinct of individual independence. Most Americans want to give something for what they get. That something, in this case, honest work, is the saving barrier between them and moral disintegration. We propose to build that barrier high.

New Dealers feared that men long on relief might “crack up.” So government work programs offered economic security and sought to restore unemployed men’s self-esteem, reputations as family providers, and sense of control over their destinies. However, this concern for “self-respect” through work and the worry about “moral disintegration” because of dependency on relief pertained only to “employables.” The work programs sought to restore the identities of young and middle-aged White, “able-bodied” men, not only by giving them jobs but also by contrasting them with “unemployables,” “natural dependents,” who properly belonged on local relief. As a result, the WPA in many states refused to hire handicapped workers. The League protested the WPA practice and that New York City’s Emergency Works Program classified handicapped people “indiscriminately as ‘unemployables.’”

But the attempted dichotomization of able-bodied employables and disabled unemployables was undercut by a contradiction in New Deal policy. FDR’s Executive Order No. 7046 creating the WPA instructed that “no one whose age or physical condition is such as to make his employment dangerous to his health or safety, or to the health and safety of others, may be employed on any work project.” But, said the next sentence, “this paragraph shall not be construed to work against the employment of physically handicapped persons, otherwise employable, where such persons may be safely assigned to work which they can ably perform.”

The League and Deaf leaders wielded that executive order to force open WPA jobs. The League’s “Thesis” referred to it as “a ruling forbidding discrimination on account of physical disability.” Deaf associations cited it to oppose WPA discrimination against Deaf workers. Although these groups opposed segregated employment, activism by handicapped and Deaf groups prompted the WPA in some localities to create special projects or special jobs on regular projects and to establish quotas on some projects. Meanwhile, many individuals with disabilities somehow evaded WPA policies and obtained WPA jobs. Studies of the WPA noted that in various localities, anywhere from an eighth to a third of WPA applicants were rejected due to disabilities but that more than one fifth of all WPA workers had disabilities. Individuals with deafness, physical handicaps, and blindness around the United States maneuvered their way into jobs on the WPA and other New Deal work programs.

However, WPA officials believed that giving jobs to “unemployables” undermined the work program, the local wage structure, and the stability of the local job market. They thought that although workers with disabilities might be able to do their WPA jobs satisfactorily, they could never move along to private industry jobs because they would be unable to meet employers’ stricter hiring examinations and employment practices. These were the very practices League members had condemned as disability-based discrimination. They had hoped that WPA employment would enable them to prove their capabilities to private employers. Instead, the New Dealers failed to question the reasonableness or fairness of those practices. They assumed that most people with disabilities were inherently unsuited for private employment and therefore were unsuitable for temporary transitional employment on government work programs. As a result, at times when WPA executives found it necessary to economize by eliminating jobs, handicapped workers were among the first to go. The intent to make the WPA a “real work” program, rather than a relief or rehabilitation program, made hiring “unemployables” undesirable. The WPA’s inconsistent policies and practices and FDR’s executive order reflected the confusion in federal disability policies regarding the employability of disabled persons versus their necessary relegation to home relief.

In the long run, the federal disability insurance/welfare system that grew out of the New Deal institutionalized the dichotomization of able versus disabled and the concept of

“unemployability.” That concept implicitly reappeared in the definition of *disability* later fashioned by the Social Security Administration: an inability to engage in gainful activity. That definition forced millions of people with disabilities out of the job market and permanently onto welfare, and disability activists continued to criticize it. In the 1940s, the new National Federation of the Blind (NFB) opposed such policies. In the 1970s and up to the present, disabled activists have fought what has come euphemistically to be called “work disincentives.” They did not know that the League of the Physically Handicapped had launched this struggle when it protested a policy it had seen as economically and socially marginalizing people with disabilities. Disagreeing with policymakers and recent students of policy, they did not think that policies such as the WPA’s categorization of them as “unemployable” charitably excused them from work. They believed that such policies deliberately excluded them from the job market and society, intentionally stigmatizing and segregating them by codifying job discrimination into law.

The surprisingly similar views of disabled activists about social welfare policies suggest a new approach to the study of policy. Has an implicit tradition of disability politics about policy existed without our recognizing it? Let me note one thread of that possible tradition. Throughout the history of disabled activism, advocates have simultaneously called for both equal rights and exceptional treatment. The League demanded an end to discrimination but also job quotas and adequate home relief. Scotch and Berkowitz (1990) reported a similar stance by the organized blind. In 1949 an NFB witness testified to a congressional committee on behalf of both civil rights and Aid to the Blind. He argued that blindness incurred significant expenses and limitations; therefore, it necessitated societal aid. But as a social condition, it evoked discrimination. The real handicap of blindness, “far surpassing its physical limitations,” he declared, quoting Jacobus ten Broek’s “Bill of Rights for the Blind,” was “exclusion from the main channels of social and economic activity.” So blind people needed protection from discrimination (Scotch & Berkowitz, 1990). Late-20th-century disability rights advocates advocated legal protection from discrimination and introduced two new concepts into American civil rights theory: equal access and reasonable accommodations. In addition, they opposed work and marriage “disincentives” and called for publicly funded health insurance and personal assistance services for employed people with significant disabilities. Disability-based political movements seem always to have advocated for both equal treatment and differential treatment.

However, their agendas have conflicted with both the medical model of disability and the dominant ideology of equality. The medicalized view has regarded accommodations such as architectural modifications, adaptive devices, and assistive services as special benefits charitably provided to fundamentally dependent individuals in lieu of the preferred objective, their restoration to some semblance of normality. But the disability-rights tradition has viewed these provisions

as different modes of functioning, not signs of inferiority. The reigning civil rights theory has allowed differential treatment of minorities as a temporary measure to facilitate eventual parity. But the disability-rights tradition has implicitly claimed the legitimacy of permanent differential treatment because disabled persons require such accommodations to participate in the economy and society on an equal basis.

Critics have complained that disabled people cannot have it both ways—they cannot legitimately claim equal opportunity and equal social standing while demanding “special” privileges. To the critics, equality means identical arrangements and treatment. From this dominant perspective, one cannot be equal and different in American society. But, within the disability-rights tradition, there is no contradiction. It is possible in America, this tradition has implicitly proclaimed, to be equal *and* to require aid and accommodations, to be equal *and* different. Indeed, for Americans with disabilities, any other approach to equality seemed impossible. Disabled political values were built out of the daily realities of the disability experience. To ensure equal opportunity, disabled activists have declared, civil rights protections, equal access, reasonable accommodations, and appropriate support services must be guaranteed as rights. This perspective suggests the need to move beyond the traditional framing of policy options as employment versus income maintenance, or welfare versus rehabilitation versus civil rights. That dichotomization (or trichotomization) is contradicted by the realities of the disability experience and contested by the disability-rights tradition. And it also once again shows the importance of disabled voices in policy-making and program development.

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