

ABLEISM – WHAT IS IT?



(Image of a circle outlined in black. Inside the circle is an outline of a clenched hand and wrist. At the wrist is a white outline of a person in a wheelchair actively moving forward, with a cape flowing backwards. In the background are multi-colored stripes representing the rainbow colors, plus the colors black and brown, as well as trans.)

Disability Rights Are Civil Rights

Before we get to ableism, we need to understand the history of disability discrimination and how it intersects with racism and other forms of discrimination. Often, we will hear concerns about anti-racism but are not thinking that many Blacks for example, victimized by police, had pre-existing disabilities. Certainly, as a result of being brutalized, most of them likely sustained disabling injuries. Therefore, it is not realistic to discuss violence against any population without also bringing in disability. If disability is not part of the conversation or at the table, then we do not have diversity represented.

Disability rights in the United States have been hard earned, coming a long way from the 1880's eugenics movement that led to legally sanctioned forced sterilization of those considered unfit, because they did not possess ideal genetically superior genes. The eugenics movement ultimately spread to Germany, with millions of disabled individuals ultimately dying in the concentration camps or used by the Nazis for medical experiments. By about 1945, the U.S. eugenics movement sought to distance itself from the way the Nazis portrayed eugenics.

In 1964, the Civil Rights Act prohibited discrimination on the basis of race, color, religion, sex, or national origin but did not require businesses that served the public be accessible to those with disabilities. Public transportation continued to be not accessible to wheelchair users, and disabled individuals had no rights to attend public schools or be employed.

The Rehabilitation Act of 1973, Section 504 stated that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that either receives Federal financial assistance." However, this Act had no regulations. It was not until 1977 when a group of disabled protesters took over the San Francisco federal building for 28 days when the Act finally had regulations.

Yet, the disability rights battle continued for equal rights to accessible public transportation, protection in employment, and equal access to businesses that serve the public. In 1990 the Americans with

Disabilities Act (ADA) was signed into law. This comprehensive civil rights legislation prohibited discrimination and guaranteed that disabled people have the same opportunities as everyone else to participate in the mainstream of American life -- to enjoy employment opportunities, to purchase goods and services, and to participate in State and local government programs and services.

Despite the achievement of having the ADA, the law still was difficult to enforce. Disability discrimination cases were overwhelmingly thrown out, because the process of proving one was qualified under the ADA for protection was made very difficult. Eventually in 2008 the ADA Amendment Act was signed by the President, to restore the intent and protections of the Americans with Disabilities Act of 1990.

Even with the ADA Amendment Act, the disabled individual bears the brunt of responsibility to self-identify disability and accommodation requirements not only in college but also in other parts of society or risk not being accommodated. For example, individuals requesting an American Sign Language interpreter for college or public events must submit requests for an interpreter several days in advance. In an ideal, universally designed world all classrooms, events and activities would be totally accessible. We have some work to do, before we reach that ideal.

Crip Camp/Intersections of Race and Disability

If you have not viewed the Crip Camp documentary, available on Netflix or for free on YouTube as [Crip Camp documentary](https://www.youtube.com/watch?v=OFS8SpwioZ4) <https://www.youtube.com/watch?v=OFS8SpwioZ4>, you should, to learn how the disability activists successfully held a 28 day sit-in at the San Francisco federal building until 1973 Section 504 was regulated. Without regulations, the existing law had no teeth and no consequences for violators who continued to deny disabled to right to be educated.

The sit-in would not have been successful without the Black Panthers bringing in hot meals daily, the Butterfly Brigade providing security, and other marginalized populations banding together to support the protesters fighting for disability rights. They all knew that the sit-in was a civil rights battle for disability rights, and that this sit-in was happening 13 years after the Civil Rights law had passed. It would not be until 1990 that the disabled would finally have the same level of legal protection and rights as those who had fought for the 1964 civil rights.

One of the protesters in the sit-in was Brad Lomax Unflinching in his advocacy around Black empowerment and disability rights, Lomax was a member of the Black Panther Party (BPP), founder of the BPP supported East Oakland Center for Independent Living and protestor during the 1977 Section 504 sit-in. He was a wheelchair user as a result of his multiple sclerosis. The Oakland's Black Panther Party cooked and carried wholesome, hot meals—meatloaf, fried chicken, rolls, and salad—across the Bay to San Francisco every single day, as they understood disability intersectionality with disabled Black Panthers. Brad was joined by fellow Black Panther Chuck Jackson during the 25 day long sit-in, who not only provided attendant care for Lomax, but also for others in need.

Ableism

Ableism is discrimination and bias against the disabled. After fighting for and winning the battle to have Section 504 regulated in 1977 and the 1990 ADA signed into law, we still experience ableism in many forms. In higher education it would take the shape of faculty not having their courses in accessible

format, of not having visual descriptions for videos shown in class, of not speaking loudly and clearly while facing forward, and of not respecting students' required need for SSWD accommodations. It would also take the shape of campus activities and events not having ASL or CART, not having seating for those in wheelchairs and scooters in locations where they can equally experience the event, and not considering the disabling factors that may exist for members of the campus community in any campus sponsored or coordinated event.

Ableism also can include mocking and making fun of an individual wearing a face mask due to personal health, even though the requirement to wear masks has been greatly relaxed. In this case, the one mocking the face mask wearer is assuming they have the right to determine what is appropriate and they are asserting their opinion, even though it may be against the best interest of the one wearing the face mask.

Language

Do you prefer person first language (PFL) as in "student with a disability" or identity first as in "disabled student?"

Much depends on how important it is to have your disability be recognized as part of your identity. If you have a non-visible disability, it may be that disability is not something you want connected to your identity and you may want to have the fact you are first a person, be recognized. On the other hand, if you have a disability that requires accommodations wherever you go, for example a need to have physical access due to using a wheelchair or scooter, then you may be more comfortable being disability identity first, because the disability is quite obvious as would be your accommodation requirements based on the observable disability. It is a preference, with no right or wrong. However, which language you choose, does inform others of how you identify about your disability.