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Issue Brief: Office Holders/ Disabilities

Title: Office Holders and Disabilities: A Question of Accessibility

Keywords: Disability, Accessibility, Political Position, Office Holding, Protection, Law

Description: As the stigmas around disabilities continue to disappear, the dialogue regarding the subject has begun to saturate the American political sphere as well, not only in terms of law, but accessibility and officeholders themselves. While officeholders have begun to shy away from hiding their disabilities, as the historical norm suggests they would, more and more questions of accessibility are raised, as well as differentiating and defining disabilities.

Key Points-

- There have been multiple prominent officeholders with disabilities. However, these prominent historical figures are almost always accompanied by a history of hiding and discrimination due to their disabilities.
- More recently, the topic of disabilities has been more vocalized, focusing on legal rights and protection amongst the public.
- This dialogue has opened up the floor for discussion on accessibility, particularly in regards to officeholders and limits on accessibility and the practical and actual application of laws.
- All of these developments have lead to the question, “if officeholders are not truly seen as equals, how then can the disabled general public obtain true equality as well, especially if they cannot be physically represented in government affairs?”

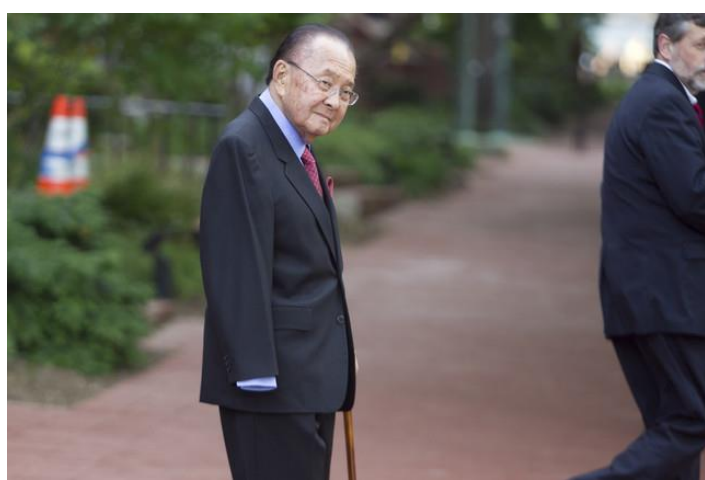


Figure 1: Senator Daniel Inouye, a disabled senator before the official government movements of the 80's¹

Figure 2: President FDR posed as hiding his physical disability²



¹ "National Leaders With A "Defective" Arm or Leg - Page 3 - Historum - History Forums." *Historum History Forums* RSS. N.p., n.d. Web. 03 Mar. 2016.

² "FDR Memorial." *USA Guided Tours*. N.p., 2013. Web. 11 Apr. 2016.

The Icon Graphic Elements



Head Position

1 Head is forward to indicate the forward motion of the person through space. Here the person is the "driver" or decision maker about her mobility.

Arm Angle

2 Arm is pointing backward to suggest the dynamic mobility of a chair user, regardless of whether or not she uses her arms. Depicting the body in motion represents the symbolically active status of navigating the world.

Wheel Cutouts

3 By including white angled knockouts the symbol presents the wheel as being in motion. These knockouts also work for creating stencils used in spray paint application of the icon. Having just one version of the logo keeps things more consistent and allows viewers to more clearly understand intended message.

Limb Rendition

4 The human depiction in this icon is consistent with other body representations found in the ISO 7001 - DOT Pictograms. Using a different portrayal of the human body would clash with these established and widely used icons and could lead to confusion.

Leg Position

5 The leg has been moved forward to allow for more space between it and the wheel which allows for better readability and cleaner application of icon as a stencil.

Brief:

From Nicholas Murray Butler, former president of Columbia University, to the more famous case of FDR, many officeholders have had physical disabilities throughout the years⁴. However, these disabilities have not readily been discussed in historical dialogue. In fact, FDR is often pictured hiding his wheelchair in various ways, and nearly no one is aware of other historical figures with disabilities.

Perhaps the most prominent evidence of this obvious discriminatory inequality in government institutions is the fact that there truly have been a minimal number of disabled people with office holding positions. In more recent years, one of the most prominent figures, leading the way for disabled people in US government duty, has been Senator Daniel Inouye (HI). Somewhat analogous to MLK Jr. in leading the way for the Civil Rights movement, Senator Inouye was disabled and placed in an office holding position before the official governmental recognition and changes that took place in the 1980's⁵. Despite his advances for officeholders with disabilities, including obtaining the Congressional Medal of Honor, congress has failed to adapt its ways to make way for more disabled people to follow in the wake of the Senator.

Inouye essentially helped provoke long and ardent debates, beginning in the 1980's, about strict definitions and protection of minority rights, in regards to people who are "disabled". In 2001, the World Health Assembly officially approved the "International Classification of Functioning, Disability and Health", which is essentially structured around: body functions, severity, environmental factors, activities, and participation⁶. This classification officially defines disability as a "condition or function judged to be significantly impaired relative to the usual standard of an individual group"⁷. These impairments often include: physical, sensory, cognitive, intellectual, mental illness, and types of chronic diseases.

Since this recognition of the disabled minority, the US government has put many laws into action for the protection of their rights. For example, Social Security will pay disability benefits, however this is extremely conditional on the persistence of the disability and the nature of its preventive effects on the disabled person's career.⁸ This focus on disability rights has also transcended into the field of international government. In August 2007, the Ministry of Justice of the UK recognized this crosscutting cleavage of office holders with disabilities by publishing a "Policy on Reasonable Adjustment for Judicial Office Holders with Disabilities"⁹. Essentially, the policy focuses on adjusting set or strict regulations so that those who could not abide due to

³ *Icon Source:*

⁴ "The Handicap Symbol Gets an Update - at Least in New York State." *Washington Post*. The Washington Post, n.d. Web. 11 Apr. 2016.

⁴ Kestenbaum, Lawrence. "Politicians with Physical Disabilities." *Political Graveyard*. N.p., n.d. Web. 11 Apr. 2016.

⁵ "INOUYE, Daniel Ken - Biographical Information." *INOUYE, Daniel Ken - Biographical Information*. N.p., n.d. Web. 03 Mar. 2016.

⁶ "Disability: Definition, Types & Models." *Disabled World*. Disabled World, n.d. Web. 03 Mar. 2016.

⁷ Ibid.

⁸ "Social Security." *Disability Benefits*. N.p., n.d. Web. 03 Mar. 2016.

⁹ Justice, Ministry Of. "Policy on Reasonable Adjustment for Judicial Office Holders with Disabilities." *Ministry of Justice: Policy (2007)*: n. pag. Web. 3 Mar. 2016.

their disability could still hold a position. While this is a development, it is still seriously lacking a comprehensive policy for office-holders, both outside of the judicial system and moreover the UK. In fact, perhaps the only similar law in American politics is the 25th amendment. Despite the title alluding to “Disabilities” in reality, the amendment is only focused on the President, and his replacement, rather than issues of accessibility¹⁰.

Essentially, the discriminatory problem people with disabilities face are related to accessibility. The issue really boils down to that while there are laws in place protecting the *legal* rights of disabled, often times the application of these laws is not comprehensive enough to provide equality to this unique majority. American’s with Disabilities Act (ADA) of 1991 improved accessibility slightly, but obstacles still persist. While parking spaces have been designated, equity and integration still have not been achieved. In fact, it is quite literally impossible for officeholders to have a position in some places due to inaccessibility. In Syracuse, New York, there is no handicap access to their county courthouse¹¹. This goes to prove that while New York State is doing work such as revamping their handicap signs, they are doing little to recognize and assist officeholders with disabilities¹². This is not happening in only New York. Many offices across the nation are accessible, but there are no mandated follow-up sessions that see if the building continues to maintain ADA codes, suggesting that even if the building looks good on paper, there still are likely accessibility issues for officeholders. As one man, directly involved in the Syracuse case puts, “because if you can’t get local government to comply with the ADA, how can you ask businesses to comply with the ADA?”¹³”

All in all, there is still an obvious discrimination in today’s society towards disabled people, especially in higher levels of governments. While advances have been made, a more serious reform needs to take place to combat this blatant minority discrimination, especially in the government threshold.

For more information, please visit the following relevant websites:

- <http://www.disabled-world.com/disability/types/>
- <http://www.cdc.gov/ncbddd/disabilityandhealth/types.html>
- <https://www.ncd.gov/publications/1992/December1992>

¹⁰ "Amendment XXV Presidential Disability and Succession." *National Constitution Center*. N.p., n.d. Web. 11 Apr. 2016.

¹¹ Meronek, Toshio. "As More Disabled Sue and Protest, Politicians Draw Line on Accessibility." *Truth Out*. N.p., 26 Dec. 2012. Web. 12 Apr. 2016.

¹² "The Handicap Symbol Gets an Update - at Least in New York State." *Washington Post*. The Washington Post, n.d. Web. 11 Apr. 2016.

¹³ Ibid.