

ABSTRACT

Reading Disability in the Law and in Presidential Rhetoric:
The Cases of Theodore Roosevelt, John F. Kennedy, and George H.W. Bush

Julia M. Medhurst, M.A.

Chairperson: Martin J. Medhurst, Ph.D.

Using close-text reading methods of rhetorical criticism, this study examines the history of discursive exclusion of people with disabilities from the polity, as evinced in presidential oratory. Specifically, this project focuses on the rhetorical construction of disability in three historical moments: the Gilded Age, leading to the Progressive Era; the Reform Era of the 1950s through the 1970s; and the Bush Era of the late 1980s to the 1990s. First, the legal status of people with disabilities in each era is explored by discussing the relevant history, case law, and interpretations used in each period. Next, the rhetorical maneuvers employed by presidents of each era are analyzed. In particular, the words of Theodore Roosevelt, John F. Kennedy, and George H.W. Bush are examined to explain how disability and citizenship are positioned discursively as antithetical concepts.

Reading Disability in the Law and in Presidential Rhetoric: The Cases of Theodore Roosevelt,
John F. Kennedy, and George H.W. Bush

by

Julia M. Medhurst, B.A.

A Thesis

Approved by the Department of Communication

David W. Schlueter, Ph.D., Chairperson

Submitted to the Graduate Faculty of
Baylor University in Partial Fulfillment of the
Requirements for the Degree
of
Master of Arts

Approved by the Thesis Committee

Martin J. Medhurst, Ph.D., Chairperson

Leslie A. Hahner, Ph.D.

Jerold L. Waltman, Ph.D.

Accepted by the Graduate School

August 2017

J. Larry Lyon, Ph.D., Dean

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ACKNOWLEDGMENTS

I extend my gratitude to all friends, family, and academic mentors who supported, cared for, and guided me during these two years at Baylor and during my time at Texas A&M and at the University of Maryland. I am particularly grateful for the academic encouragement of Dr. Jimmie Killingsworth, Dr. Jan Swearingen, Dr. John Robertson, Dr. Shawn Parry-Giles, Dr. Martin Medhurst, Dr. Leslie Hahner, and Dr. Scott Varda. I want to acknowledge Sully, Evey, Lillie, and Ollie for reminding me that no problem is too great to be solved by a tasty bowl of food and a long nap. To my parents who have supported me financially and emotionally as I navigated some of the greatest challenges in my life, I send a special thank you. And most importantly, to my husband, Scott, whose unfailing faith in my ability to succeed has carried me through my darkest moments and lifted me up. I cannot imagine finishing this thesis without your steadfast love, devotion, patience, understanding, and encouragement—or without your help on the formatting.

DEDICATION

For Dad

CHAPTER ONE

Introduction

In 1899, Theodore Roosevelt demarcated a set of personal characteristics that he deemed central to American national identity. In his “Strenuous Life” speech, Roosevelt proclaimed that true patriots

do not admire the man of timid peace. We admire the man who embodies victorious effort; the man who never wrongs his neighbor, who is prompt to help a friend, but who has those virile qualities necessary to win in the stern strife of actual life.¹

For Roosevelt, physical strength and virility compose the essence of what makes Americans great. Leroy Dorsey explains this view when he argues that the speech worked to romanticize early pioneers’ physical prowess and moral triumph on the American frontier.² These Americans, Roosevelt asserts, were citizens that all should strive to emulate, for they embodied the best characteristics of national identity—strength, endurance, hard work, independence, and moral uprightness. In true Roosevelt form, the emphasis on the link between physical vigor and desirable character was paramount. It wasn’t enough that a man or woman be virtuous in their deeds, but they must concomitantly devote themselves to living the strenuous life—a life of moral as well as physical challenge. Only through the embrace of both kinds of challenges would a citizen be held in highest regard by his or her government.

The same emphasis on strength as a barometer of civic fitness emerged again in 2016 when Barack Obama spoke at the Democratic National Convention on behalf of nominee Hillary Clinton. Obama said,

That's what happens when you're the kind of citizen Teddy Roosevelt once described – not the timid souls who criticize from the sidelines, but someone “who is actually in the arena...who strives valiantly; who errs...[but] who at the best knows in the end the triumph of high achievement.” Hillary Clinton is that woman in the arena. She's been there for us – even if we haven't always noticed.³

In making the case for Clinton's competency for the job of commander-in-chief, Obama underscores the salience of electing a leader who is first and foremost an honorable citizen, defined as a person who is willing to fight. The audience knows this to be true as Obama constructs the metaphor of “the arena.”⁴ The metaphorical imagery of Clinton donning her boxing gloves is clear and powerful. The civic test that commendable American citizens must pass requires not only intelligence, integrity, and clear conscience, but the willingness and the ability to back up those traits with physical force.

Roosevelt and Obama's call for a physically fit citizenry is grounded in the American rhetorical tradition of valorizing physical ability, which is linked discursively to moral uprightness. For over a century, American presidential discourse has rooted conceptualizations of national identity in the notion that an honorable citizen is one who physically and mentally meets the demands that civil society imposes. But what of those citizens who are considered not to be physically or mentally robust?

This study defines disability as a class of people who “have physical and mental impairments as a result of birth, injury, or an illness. Impairments include such conditions as orthopedic, visual, speech, and hearing problems, epilepsy, multiple sclerosis, cancer, diabetes, mental retardation, and mental illness, among others.”⁵ As the preceding list suggests, the category of disability ranges wide and reaches far. To underscore the universality and salience that disability plays in all of our lives, some disability rights activists in the 1960s coined the term “the temporarily able-bodied” as a means to

highlight the temporal nature of physical ability.⁶ Indeed, according to the 2010 United States Census, some fifty-six million people, or nineteen percent of the total U.S. population, have some kind of disability.⁷ Many more will become members of the disability community as individuals age, living longer lives and experiencing more medical complications than before.⁸

The ubiquity of disability in modern America asks us to question how we will reconcile the discursive divide between the rhetoric we use to name a “good” or “honorable” citizen and the rhetoric that we use to describe people with disabilities. This observation has led me to pose several interrelated questions: To what extent does a rhetoric of able-bodiedness discursively erase the lives and history of citizens with disabilities? How might rhetoric be used to shed light onto the communicative gaps that our history books display? And, most centrally, how does presidential rhetoric illuminate or obscure these issues? These are some of the questions my thesis endeavors to answer.

My argument is that there does exist a rhetorical history of exclusion from the polity of people with disabilities, and that such exclusion is evinced throughout the late nineteenth and twentieth centuries in numerous texts that give insight into the social attitudes of the day. For my project, I focus on the discursive construction of disability in three historical moments: the Gilded Age, leading to the Progressive Era; the Reform Era of the 1950s through the 1970s; and the Bush Era of the late 1980s to the 1990s. First, I examine the legal status of people with disabilities in each era by discussing relevant history, case law, and their interpretations. Next, I explore the rhetorical maneuvers employed by presidents of each era, specifically examining the words of Theodore Roosevelt, John F. Kennedy, and George H.W. Bush, who signed the Americans with

Disabilities Act (ADA) in 1990. I have selected these presidents and these discourses because they each inhabit critical moments and employ critical words in the history of rhetoric on disability in the United States. To be sure, this project cannot give an exhaustive account of every court decision, statute, or speech related to disability issues of the twentieth century, nor can it address the words of every president who made an impact on disability rights legislation. Indeed, one example of a noteworthy omission in this study is the work done by Franklin D. Roosevelt in securing the passage of the Social Security Act, a piece of legislation that undoubtedly changed the lives of millions of people with disabilities. The absence of those policies and of FDR's oratory from this thesis should not be mistaken for a statement of unimportance. Rather, it is a reflection of my position that the major changes in disability policy and speech are represented best by examining the time periods contained herein.

What a focus on the elder Roosevelt, Kennedy, and Bush presidential eras affords this study is a general set of snapshots that give insight into the major historical trends in law and cultural thought that culminated in the passage of the ADA. When we think about citizenship as it is articulated throughout distinct eras, the overarching attitudes of culture that enforce and are reinforced by law become most accessible when we identify the major shifts that occur in social behavior and discourse over a given period. This study attempts to locate and explicate those shifts at three critical junctures in recent American history. In tracing the discursive trajectory of American national identity with regard to disability, I endeavor to provide a re-telling of the rhetorical construction of American identity as we know it with the intent of creating an account that is inclusive, balanced, and illuminating in ways that previous rhetorical histories have neglected.

Review of Literature

Citizens on National Identity

What constitutes a good citizen in the eyes of the American public? Several scholars of rhetoric have endeavored to answer this question in their explorations of how national identity figures into the discursive lives of different rhetorical artifacts, time periods, and peoples. The most important theme that emerges time and time again is that of the citizen-hero, for he (literally) is the epitome of all the characteristics that Americans admire.

Americans co-construct the ideal of the citizen-hero at many points and in many contexts throughout the twentieth and twenty-first centuries, not just in presidential rhetoric. Indeed, it is crucial to remember that this construction itself is mutable, contingent on the rhetorical exigencies of the time and place in question.⁹ Importantly, some scholars define citizenship by delineating the activities in which Americans were asked to engage throughout different eras. Michael Schudson conducts that kind of analysis in *The Good Citizen*, where he argues, for example, that citizenship in the Gilded Age leading to the Progressive Era was characterized by an increased reliance on expert leadership and burgeoning faith in a nonpartisan press.¹⁰ My focus on citizenship constructs it as a corollary to national identity, with discernible characteristics that run as traceable motifs throughout the history of American public address.

What is interesting is that even though times and attitudes have changed tremendously in so many facets of American life, several core values of citizenship persist to this day. Among them are independence and self-sufficiency, the individual capacity to work hard (as defined by achieving success in the capitalist system), strength,

and the will to win. These values can be traced back to Theodore Roosevelt's heralding of the frontier myth, which delineates the characteristics that a citizen-hero embodies.

As Leroy Dorsey and Rachel Harlow remind us, the frontier hero was a citizen who won the West by successfully settling the dangerous American frontier.¹¹ The citizen-hero accomplished this goal through his talent at balancing "the need for individual effort and the need to sustain the community."¹² Of course, on the frontier, much of this effort was physical as well as mental. Strength and an active pursuit of the strenuous life were paramount in achieving success as settlers moved west. Additionally, the citizen-hero was shown to be civically conscious of his duty to build and sustain society. He valued more than personal achievement for the sake of self-congratulation. However, he needed to achieve at the individual level in order to be successful. In this discursive construct, the actions of the citizen-hero were not collective, but highly individual. It is this narrative of the rugged individual who works for the benefit of the collective that took hold in Roosevelt's *The Winning of the West*. Self-sufficiency, then, is a critical component of the citizen-hero who gains glory through physical effort on the frontier.

This self-sufficiency/independence theme is carried on through the early twentieth century in the writings of Supreme Court Justice Louis Brandeis. Paul Stob argues that Brandeis created a rhetoric of transactional morality that worked at the intersection of morality, economics, and democratic citizenship.¹³ Specifically, he explains how Brandeis engaged the Progressive Era rhetorical motif of moral absolutism, which dictated that judgments about character be non-negotiable.¹⁴ One such judgment that held the central weight in Brandeis's definition of upright character was his commitment to

creating a society where each American had the opportunity to “transact profitably with his or her environment and to contribute to the maintenance of society.”¹⁵ Stob tells us that “Brandeis’s transactional view of the modern world was aimed at freeing individuals to become fully developed, virtuous, valuable citizens.”¹⁶ The word “valuable” underscores the economics-based theme upon which Brandeis’s world view depended.¹⁷ For the Justice, a good citizen was one who discovered his or her value potential and maximized it to its greatest capacity. The role of society, or the collective, was to create laws and standards that allowed the individual to undertake this feat. Here, as in Roosevelt’s rhetoric, the emphasis on self-sufficiency and independence is unambiguous. Brandeis’s words enact a rugged individualist interpretation of citizenship that has clear implications for national identity and the heroic-citizen archetype.

The presidency and the Supreme Court are two contexts where curious observers may expect to find multiple instances of national identity-building discourses that examine the citizen-hero. However, the language that we use to discuss non-political events—including entertainment such as sports—are ripe with material for analysis. Ron Von Burg and Paul Johnson discuss the Major League’s steroids scandals and their implications for the nostalgic rhetorical discourses that fans and spectators associate with the game. Among those discourses is the line of speech that associates “individualism, Puritan work ethic, and humility” with baseball.¹⁸ Citing Paul J. Zingg, the authors reinforce the idea that “to the extent that the game symbolizes alleged American ideals and myths (its native origins, agrarian images, qualities of ethnic assimilation and social interaction, individualism and rags-to-riches opportunism, to name just a few), its heroes reflect a lingering popular nostalgia and need for them.”¹⁹ Of course, the citizen-hero as

baseball player is a traditional archetype that many Americans recognize. The qualities associated with the baseball hero, though, are remarkably similar to those that Roosevelt and Brandeis ascribed to the citizen-hero, the most important of which is the valorization of individual achievement and self-sufficiency. Just as Justice Brandeis saw the law as a mechanism to enable the individual to contribute to the collective social body, so do baseball fans envision the star player as the singular envoy that contributes to the team's winning performance. Illustratively, Von Burg and Johnson observe that baseball heroes function as unique metaphors for the citizen-hero in their specific valorization of individual achievement via the batting ritual, where a lone player takes the plate to attempt a home run, thus endeavoring to alter the course of the entire game.²⁰ Here, as in other American contexts, individualism forms the backbone of heroic citizenship. As in Roosevelt's writings, physical strength—or at least the appearance thereof—plays an essential role in constructing the American hero saga. Indeed, the authors note that baseball star Mark McGwire's "Bunyanesque stature" contributed to his ethos as a baseball giant and an American legend.²¹ To be a citizen-hero, then, entails a commitment to cultivating a self-sufficient, strong, and winning-oriented life.

Perhaps the clearest example of the citizen-hero in action can be found in the definition of the opposite: the failed citizen. Melanie Loehwing provides one such example of the failed citizen in her rhetorical treatment of the homeless person. Arguing that the film *Reversal of Fortune* (where a documentarian gives a homeless man 100,000 dollars to examine how money changes his life) stands in for the discursive treatment of the homeless in American society, Loehwing explains how the homeless represent some of the most civically vulnerable among us.²² Because the homeless have been portrayed

historically as loitering pests that require removal from public view, their status as true citizens—endowed with all of the same rights as those who have homes—comes into question. In this way, the homeless may be viewed as the anti citizen-hero, for they represent members of society who have failed the test of a strenuous life. Discursively, the homeless are cast as citizens who were unable to meet the demands that rugged individualism places upon them. The opposite of self-sufficient, independent, strong, and successful, the homeless are portrayed as everything the American hero is not. If the baseball hero is the model to emulate, the homeless man is the warning to heed.

As the next section will underscore, presidents also take part in the discursive construction of the citizen-hero through their heralding of specific citizen qualities: independence and self-sufficiency, the individual capacity to work hard (as defined by achieving success in the capitalist system), strength, and the will to win. To these, the importance of civic visibility is added.

Presidents on National Identity

The rhetorical expectation of the citizen-hero looms large, too, in presidential rhetoric. In addition to this expectation, however, scholars of rhetoric make salient observations about the means by which presidents construct national identity via public speech. In *Defining Americans: The Presidency and National Identity*, Mary Stuckey notes that presidents rhetorically narrow the audiences they address by creating categories—including sexuality, gender, race, religion, and region—into which listeners may be placed.²³ Perhaps oxymoronicly, presidents do this because of the rhetorical exigence to create a unified national identity. As we know, American citizens are diverse. Differing ideologies, religions, ethnicities, races, sexual orientations, degrees of ability,

amounts of income, and levels of education are just some of the factors that contribute to the variegated society that we recognize. Because members of these groups often have competing and complex interests, it is the task of the president to craft a rhetoric that can unify the nation while still addressing the specific concerns of each community.

Presidents achieve this feat by reducing the complexities of each group down to demographic markers such as “working mothers” or “the LGBTQ community” so that he or she can refer to the needs of each group while also highlighting the similarities among members of differing groups. This is the process by which national identity building is begun. The president’s ability to construct common ground among diverse listeners becomes essential to rhetorical success. As this thesis will show, one group that is at once discursively forgotten and rhetorically othered is the disability population.

In addition to this reductive process, presidents rely on several thematic mainstays when referring to diverse groups of citizens. Stuckey enumerates three of these themes in her book, but two hold special significance for my study. The first is the theme of individual capacity. Stuckey contends that people feel they belong in the United States less because they were born within its borders, and more because they have the capacity to enact citizenship.²⁴ She writes, “To be considered a “good” citizen in this democracy, for instance, one must demonstrate self-discipline, independence, productivity, and temperance.”²⁵ As the historical analyses in chapter two of this project will show, both the qualities of being independent and productive have systematically been described as antithetical to the nature of people with disabilities. Nevertheless, Stuckey reminds us, they are central to understanding what makes Americans uniquely American.

The second theme upon which presidents draw from their rhetorical repository is that of visibility. Presidents make a rhetorical choice in what topics they address, or render visible, and what topics they neglect, or render invisible. For most peoples, Stuckey says that “the process of becoming visible and the process of becoming citizens overlap.”²⁶ That is, as interest groups make their voices heard on issues of concern to them, over time they subsequently enjoy greater political visibility, evinced in moments of national importance such as a presidential address. The visibility/invisibility dichotomy is of special interest to the project of tracing presidential rhetoric on disability because the plight of the people with disability has long been cloaked by the necessity of inconspicuousness. Indeed, what was rhetorically important about Franklin Roosevelt’s discursive treatment of his own physical ailments was the extent to which he and his handlers went to conceal them.²⁷ This preoccupation with invisibility is what drove George H.W. Bush’s administration to engage with the notion that people with disabilities ought to emerge from the shadows. This was one of the key goals that the ADA sought to accomplish. For example, helping individuals with disabilities to become members of “the mainstream” was an integral appeal taken up by President Bush in his speech on the signing of the ADA.²⁸ Indeed, the challenging process of becoming metaphorically and literally visible is one in which diverse groups engage, and one that was meaningful especially for people with disabilities, given their unique history of public concealment.

The issues raised above—those relating to individual capacity/ lack of capacity and visibility/invisibility—both speak powerfully to the rhetorical constraints with which people with disabilities have contended in the United States. Additionally, the notion that

good citizens are productive and independent figures prominently into Americans' collective understanding of national identity. Undoubtedly, these expectations weigh on the discursive placement of the people with disabilities in our society. But presidents need not articulate each of these expectations for them to become commonplace in the lexicon of American identity construction. Presidential words matter, but so, too, do the words and ideas that co-construct the American experience that each of us lives as members of a society.

In You, the People: American National Identity in Presidential Rhetoric, Vanessa Beasley offers the argument that the process of national identity construction relies upon the “shared beliefs hypothesis,” which posits that Americans are who they are because they share the same beliefs and ideals about what it means to be a citizen of their country.²⁹ She argues that presidents draw upon this reservoir of shared characteristics as they talk about the ways that good citizens behave in a democracy. However, it is important to remember that such notions of what constitutes a good citizen are not divinely uttered from the mouth of the president. The values that Americans hold dear are co-constructed. They are always subject to change and are re-negotiated as cultural values evolve over time. The aim of this project is to single out some of the rhetorical currents that run through the streams of American discursive practices with regard to how we think about and discuss issues of disability. To accomplish this aim, an overview of the ways that disability scholars conceptualize disability in the realm of discourse is needed.

Disability in the Realm of Discourse

In order to discuss the intersection of disability and citizenship in a productive way, an understanding of some of the key motifs of disability scholarship is necessary. Most centrally, disability theorists want the public to understand that disability as it is viewed in the public realm of discourse is a social construction of reality.³⁰ Kenneth Lindblom and Patricia Dunn put the matter plainly when they say “people’s *views* of people with disabilities are disabled.” When disability scholars discuss disability, they do so with an eye toward pointing out how social constructions of a physical or mental impairment affect the language that is employed or avoided when discussing various kinds of able-bodiedness. Davis Houck and Amos Kiewe point out that “cultures invest bodily conditions with meaning and in so doing can valorize or admonish appropriately. Disability is not written in the stars or on the body.”³¹

Indeed, the ways that we conceptualize what it means to exhibit physical difference are completely contingent on how we relate the person in question to what Rosemarie Garland Thomson calls the “*normate*.”³² The normate is defined as a “neologism [that] names the veiled subject position of cultural self, the figure outlined by the array of deviant others whose marked bodies shore up the normate’s boundaries.”³³ How do we know which bodies are considered “normal”? Lennard Davis argues that the norm has come to be associated with that which we consider the ideal.³⁴ Similarly, Thomson’s answer is that we compare imperfect bodies to the normate—often signified by, as Erving Goffman says, the “young, married, white, urban, northern, heterosexual, Protestant father of college education, fully employed, of good complexion, weight and height, and a recent record in sports.”³⁵ Again, Loehwing’s example of discourses about

the homeless population is illustrative, as those people have been constructed as the antithesis of many of these characteristics. From a rhetorical perspective, another way to think about questions of the ideal body in relation to the normate is to return to Aristotle's use of the term "commonplace" to describe the "standard sources of invention" upon which rhetors rely when they construct narratives about the ideal body.³⁶ To which themes do we return in constructing the story of the perfect body? To which themes do we return in constructing the story of the abnormal, marked body? Disability, like other marked categories of social identity, provides a method for people to describe, categorize, and potentially create divisions of alterity.

One marker of division is evident in the link between disability and participation in a capitalist economy. Disability studies scholars attend to this notion as they explain how discursive maneuvers that elevate employment as a metric of citizenship are inherently ableist. On this issue, James Wilson and Cynthia Lewiecki-Wilson write:

linking "freedom" for the disabled with the capitalist West gestures a reversal, but it also obscures the fact that the social order of capitalism itself remains a very real structure of exclusion for those people who cannot participate fully in an exchange economy by selling their labor.³⁷

The association of labor with ideal citizenship is explored also by Judith Shklar, who contests the notion that public virtue is a reliable measure of Americanism. Rather, it is the capacity to earn wages in the capitalist economy that determines our value as citizens. The ramifications of this observation for people with disabilities is clear.³⁸ Exclusion from the category of good citizen on the basis of unemployment is inevitable. These discourses allow rhetors to co-construct the qualities that society deems strange, off-putting, undesirable, or disabling and compare those with qualities that are considered

more redeeming. As Jay Timothy Dolmage reminds us, these categories always implicate specific relations of power.³⁹

While power relations often work to oppress those whom society labels “disabled,” it is important to note, too, that disability can be channeled as a resource for rhetorical agency. Peter Wayne Moe explains how such agency arises from the rhetorical use of the body in Michael J. Fox’s address to Congress in 1999. In that case, Fox’s physical impairment was used to shock the audience, thus increasing his ethos on the matter he had arrived to discuss: funding for Parkinson’s research.⁴⁰ Focusing on the nineteenth century novel, Cindy LaCom also evinces the agential potential of disability in her exploration of the story of a bedridden female, who comes to stand in metaphorically for feminine sexuality and power.⁴¹ Accordingly, Natalie Dykstra’s examination of Alice James’s letter writing as a method of reclaiming “the space of the sickroom” to “establish personal value” also exemplifies how agency and disability can work in tandem.⁴²

Although discourses of disability carry with them the potential for agency, more often than not, they appear throughout recent American history as a means of oppressing different groups of people. Some disability scholars refer to these instances of discrimination as “disablism,” a set of “assumptions (conscious or unconscious), and practices that promote the differential or unequal treatment of people because of actual or presumed disabilities.”⁴³ Perhaps the most striking example of this kind of discourse is found in the existence of nineteenth-century “ugly laws,” city ordinances that were used to remove unsightly (often physically and mentally afflicted) homeless people from public view, primarily during the late nineteenth and early twentieth century.⁴⁴

Oppressive discourses of disability also were put in motion at Ellis Island between 1890 and 1925, where immigrants were subjected to the panoptic gaze of immigration officials who observed the bodies of new arrivals in order to take note of any persons deemed defective.⁴⁵ Here, as in many cases throughout the history of the United States, the social construction of disability functioned to re-inscribe members of the subaltern.

While the social construction of disability is a guiding theme for many scholars of disability, it is equally important to note that a focus on social construction does not preclude the lived, embodied impairments that people with disabilities experience. Exploring the daily effects of physical impairment is still paramount to gaining a useful understanding of disability discourses.⁴⁶ As Houck and Kiewe put it, this observation works to “affirm the fact that a physical impairment’s meaning is never fixed or given. Like most meanings, it is fluid, and this invites the researcher to interpret the manifold meanings of disability within a given time and culture *and* to show how such meanings have very material consequences for those labeled ‘disabled.’”⁴⁷ Disability, then, is at once discursive and material, abstract and concrete. This recognition of the material nature of disability studies speaks to Gerard Hauser’s suggestion that scholars of communication consider the body as a site of rhetorical contestation.⁴⁸

Searching for the Nexus between Disability and Citizenship

The goal of this thesis is to explore the extent and manner in which members of the disability community in the United States have been constructed discursively as citizens. The second question this study aims to answer is this: If people with disabilities can be marked rhetorically as citizens, can they be marked as ideal ones? The beginning of this literature review set out some unifying characteristics that members of the public

and presidents have ascribed to the archetypal citizen-hero. Included in those personal characteristics are independence, self-sufficiency, productivity, visibility, the willingness to work hard, and the pursuit of winning. Do discourses on disability attribute these qualities to people with disabilities? Do presidential speeches discursively attribute these qualities to people with disabilities? How does the language of the ADA and the rhetoric surrounding its passage contribute to or detract from the project of ever-increasing inclusion of people with disabilities in the polity? Finally, what is the discursive status of the disability community in presidential speech today, more than two decades after the passage of the landmark law? These questions will be my guide as I attempt to find the link between disability and citizenship in the United States during the late nineteenth and twentieth centuries.

Justification

This thesis will be unique in its interrogation of disability as it has been constructed in presidential address throughout the twentieth century. To my knowledge, no studies of this scope exist as published literature in the field of communication. Additionally, this study should be of import to communication scholars looking to bridge the gap between disability studies and rhetorical studies. While scholars in English departments have begun to make significant inroads in this endeavor, scholars in communication departments are trailing. Moreover, this study serves as another much-needed contribution to the project of public speech inquiry. It is my hope that this thesis will court readers who are interested in rhetoric, disability, and presidential address. The intersection of these three areas promises to bring forth timely insights into rhetoric's role in shaping public perception and legal precedent regarding disability.

Methodology

This study aims to provide a rhetorical history of disability in the United States by referring to the relevant historical and legal contexts of several time periods throughout American history. Examples of rhetorical history—which I define as the tracing of ideas through different historical moments, a practice popularized by Ernest Wrage⁴⁹—is observable in the works of many contemporary rhetorical critics, particularly in essays by Steven R. Goldzwig, Gregory Allen Olson, and James R. Andrews, to name a few.⁵⁰

Specifically, I will engage with the relevant case law in each time period, as well as the texts of different speeches and writings in order to understand how presidential rhetoric squares with the social and legal norms of the day. I engage in this endeavor with the understanding that writing a history is itself a rhetorical, selective process that requires choices to be made about materials to be included or excluded. Indeed, as Hayden White reminds us, “the historian both creates his object of analysis and predetermines the modality of the conceptual strategies he will use to explain it.”⁵¹ I hope to create a thesis that engages David Zarefsky’s conception of the historical study of rhetorical events, where the researcher examines rhetorical discourse “as a force in history.”⁵² I do not argue that the speeches I examine have specific, discernible effects that brought about particular policy changes. Such a claim is impossible to prove without empirical research. What these speeches do suggest are the dominant values, attitudes, and mores of the day that characterize not only the worldview of the speaker, but that of the speaker’s audience—in this case, the dominant values of mainstream America. The salience of taking this approach can be found in Michael McGee’s notion of piecing together the fragments of context to better understand the text.⁵³ In taking fragments of

context that surround the speeches, I aim to provide insight into American cultural and historical values regarding disability as a socially constructed phenomenon that has material consequences for all citizens.

Chapter Outline

Each chapter proceeds with a set of historical snapshots intended to capture the trajectories of presidential discourses as they relate to the legal status of the people with disabilities and to discourses of physical difference.

Chapter one examines the literature relevant to the rhetorical construction of national identity, both by everyday citizens and by presidents. It argues that both rhetorics create the notion of the ideal citizen, who is defined by the following personal qualities: independence and self-sufficiency, the individual capacity to work hard (as defined by achieving success in the capitalist system), physical strength, the will to win, and civic visibility.

Chapter two examines the legal status of people with disabilities as well as the social history of the treatment of people with disabilities during the Gilded Age, leading up to the Progressive Era. Specifically, the emergence of Ugly Laws, the enactment of Union Army pensions, and the influence of eugenics laws are discussed. These legal precedents create the context for Theodore Roosevelt's numerous speeches that address physical fitness. Ultimately, the chapter argues that Roosevelt implicates physical ability in his speeches that discuss national character and ideals of citizenship. Specifically, it contends that he calls upon Lockean notions of liberal citizenship that were put forth in the public arena of discourse by eugenicists at the turn of the century in order to define the characteristics of a "good" citizen.

Chapter three moves to the Reform Era of the 1950s, 1960s, and 1970s and focuses specifically on education for children with disabilities as a measure of the nation's commitment to inclusion of physical difference in the polity. Here again, the legal status of people with disabilities is reviewed with an eye toward federal education law. Several court cases, including *Brown v Board of Education* (1954), *PARC v Commonwealth* (1971), and *Mills v Board of Education* (1972), are discussed. Additionally, the Elementary and Secondary Education Act (1965) and the Education for All Handicapped Children Act (1975) are considered with reference to the changing legal status of children with disabilities. Then, John F. Kennedy's 1963 Message to Congress on Mental Illness and Mental Retardation, his 1960 article in *Sports Illustrated*, "The Soft American," his 1961 Remarks on the Youth Fitness Program, and his widely viewed 1962 Public Service Announcement on physical fitness in public schools are analyzed. The chapter argues that Kennedy constructed a rhetoric of good-citizen-as-fit-citizen through his pathologizing of children with mental disabilities and his concurrent heralding of intense-training youth fitness programs in American high schools.

Chapter four takes up the passage of the ADA, including the congressional proceedings that led to its adoption and the rhetoric of the Bush administration following the law's passage. Bush's "Speech on the Signing of the ADA," and "Speech on the One-Year Anniversary of the ADA," are analyzed. The chapter argues that Bush attempted to form a *post hoc* apologia centered on the rhetorical tactics of bolstering and transcendence, which together constitute the justificative mode of apology.

The conclusion considers modern presidential rhetoric on disability and asks the question “where are we now?” with regard to disability rights as codified in the law following the passage of the Affordable Care Act (ACA).

Notes

¹ Theodore Roosevelt, "The Strenuous Life" (speech, Chicago, IL, April 10, 1899), *Voices of Democracy*, <http://voicesofdemocracy.umd.edu/roosevelt-strenuous-life-1899-speech-text/>.

² Leroy G. Dorsey, "Theodore Roosevelt, 'The Strenuous Life,'" *Voices of Democracy* 3 (2008): 1.

³ Barack Obama, "Speech at the 2016 Democratic National Convention," (speech, Philadelphia, PA, July 27, 2016), Politico, <http://www.politico.com/story/2016/07/dnc-2016-obama-prepared-remarks-226345>.

⁴ Here, Obama refers to a different Roosevelt speech, "The Man in the Arena." A similar theme from this speech emerges: Americans must be willing to physically put themselves on the line in order to be good citizens.

⁵ Ruth O'Brien, *Crippled Justice: The History of Modern Disability Policy in the Workplace* (Chicago, IL: University of Chicago Press, 2001), 1.

⁶ O'Brien, *Crippled Justice*, 2.

⁷ U.S. Census Bureau. "Nearly 1 in 5 People have a Disability in the U.S." <https://www.census.gov/newsroom/releases/archives/miscellaneous/cb12-134.html> (accessed October 17, 2016).

⁸ Disability is conceived of as a "risk" faced by every member of society, per Angharad E. Beckett's *Citizenship and Vulnerability: Disability and Issues of Social and Political Engagement* (New York: Palgrave Macmillan, 2006) 4.

⁹ Troy A. Murphy, "Romantic Democracy and the Rhetoric of Heroic Citizenship," *Communication Quarterly* 51 (2003): 195.

¹⁰ Michael Schudson, *The Good Citizen: A History of American Civic Life* (New York: Martin Kessler Books, 1998.)

¹¹ Leroy G. Dorsey and Rachel M. Harlow, "'We Want Americans Pure and Simple': Theodore Roosevelt and the Myth of Americanism," *Rhetoric & Public Affairs* 6 (2003): 55-78.

¹² Dorsey and Harlow, "We Want Americans," 59.

¹³ Paul Stob, "Louis Brandeis and the Rhetoric of Transactional Morality," *Rhetoric & Public Affairs* 14 (2011): 261-290.

¹⁴ Stob, "Louis Brandeis," 268.

¹⁵ Stob, "Louis Brandeis," 274.

¹⁶ Stob, "Louis Brandeis," 274.

¹⁷ For a modern take on what it means to enact economic citizenship via rhetorical action, see Paula Mathieu's "Economic Citizenship and the Rhetoric of Gourmet Coffee," *Rhetoric Review* 18 (1999): 112-127.

¹⁸ Ron Von Burg and Paul E. Johnson. "Yearning for a Past that Never Was: Baseball, Steroids, and the Anxiety of the American Dream." *Critical Studies in Media Communication* 26 (2009): 352.

¹⁹ Paul J. Zingg “Diamond in the Rough: Baseball and the Study of American Sports History,” *The History Teacher* 19 (1986): 392.

²⁰ Von Burg and Johnson, “Yearning for a Past,” 359.

²¹ Von Burg and Johnson, “Yearning for a Past,” 360.

²² Melanie Loehwing, "Homelessness as the Unforgiving Minute of the Present: The Rhetorical Tenses of Democratic Citizenship," *Quarterly Journal of Speech* 96 (2010): 383.

²³ Mary E. Stuckey, *Defining Americans: The Presidency and National Identity* (Lawrence: University Press of Kansas, 2004), 3.

²⁴ Stuckey, *Defining Americans*, 4.

²⁵ Stuckey, *Defining Americans*, 5.

²⁶ Stuckey, *Defining Americans*, 5.

²⁷ Davis Houck and Amos Kiewe, *FDR's Body Politics: The Rhetoric of Disability* (College Station: Texas A&M University Press, 2003).

²⁸George H.W. Bush, “Remarks on the Signing of the ADA,” July 26, 1990, White House, Washington, D.C. <http://millercenter.org/president/bush/speeches/speech-3424>. Accessed September 25, 2016.

²⁹ Vanessa Beasley, *You, the People: American National Identity in Presidential Rhetoric* (College Station: Texas A&M University Press, 2004), 46.

³⁰ See Jay Timothy Dolmage’s *Disability Rhetoric* (Syracuse, NY: Syracuse University Press, 2014); Kenneth Lindblom and Patricia A. Dunn, "The Roles of Rhetoric in Constructions and Reconstructions of Disability." *Rhetoric Review* 22 (2003): 167; David T. Mitchell and Sharon L. Snyder, “Disability Studies and the Double Bind of Representation,” in *The Body and Physical Difference*, ed. David T. Mitchell and Sharon L. Snyder (Ann Arbor: University of Michigan Press, 1997); Rosemarie Garland Thomson. *Extraordinary Bodies: Figuring Disability in American Culture and Literature* (New York: Columbia University Press, 1997).

³¹ Houck and Kiewe, *FDR's Body Politics*, 8.

³² Thomson, *Extraordinary Bodies*, 8.

³³ Thomson, *Extraordinary Bodies*, 8.

³⁴ Lennard J. Davis, “Constructing Normalcy: The Bell Curve, the Novel, and the Invention of the Disabled Body,” in *The Disability Studies Reader* (New York: Routledge, 1997), 10.

³⁵ Erving Goffman, *Stigma: Notes on the Management of Spoiled Identity* (Englewood Cliffs, NJ: Prentice-Hall, 1963), 128.

³⁶ Brenda Jo Brueggemann and James A. Fredal, “Studying Disability Rhetorically,” in Mairian Corker and Sally French *Disability Discourse* (Philadelphia, PA: Open University Press, 1999) 133-134.

³⁷ James C. Wilson and Cynthia Lewiecki-Wilson, "Disability, Rhetoric, and the Body," in *Embodied Rhetorics: Disability in Language and Culture* (Carbondale: Southern Illinois University Press, 2001). 4.

³⁸ Judith N. Shklar, *American Citizenship: The Quest for Inclusion* (Cambridge, MA: Harvard University Press, 1991). 67.

³⁹ Dolmage, *Disability Rhetoric*, 9.

⁴⁰ Peter Wayne Moe, "Revealing Rather Than Concealing Disability: The Rhetoric of Parkinson's Advocate Michael J. Fox." *Rhetoric Review* 31 (2012): 443-460.

⁴¹ Cindy LaCom, "'It is More than Lame: Female Disability, Sexuality, and the Maternal in the Nineteenth Century Novel,'" in *The Body and Physical Difference*, ed. David T. Mitchell and Sharon L. Snyder (Ann Arbor: University of Michigan Press, 1997), 189-201.

⁴² Natalie A. Dykstra, "'Trying to Idle:' Work and Disability in *The Diary of Alice James*," *The New Disability History: American Perspectives*, Edited by Paul K. Longmore and Lauri Umansky (New York: New York University Press, 2001), 109.

⁴³ Fiona Kumari Campbell, *Contours of Ableism: The Production of Disability and Abledness* (New York: Palgrave Macmillan, 2009). 4

⁴⁴ Susan M. Schweik, *The Ugly Laws: Disability in Public* (New York: New York University Press, 2009).

⁴⁵ Jay Timothy Dolmage, "Disabled Upon Arrival: The Rhetorical Construction of Disability and Race at Ellis Island," *Cultural Critique* 77 (2011): 24-69.

⁴⁶ Christopher A. Riddle, "The Ontology of Impairment: Rethinking How We Define Disability." In *Perspectives on Disability Studies*, Edited by Matthew Wappett and Katrina Arndt Emerging (New York: Palgrave Macmillan, 2013), 36.

⁴⁷ Houck and Kiewe, *FDR's Body Politics*, 6.

⁴⁸ Gerard A Hauser, "Incongruous Bodies: Arguments for Personal Sufficiency and Public Insufficiency," *Argumentation and Advocacy* 36 (1999): 1.

⁴⁹ Ernest J. Wrage, "Public Address: A Study in Social and Intellectual History," *Quarterly Journal of Speech* 33 (1947): 451-457.

⁵⁰ Steven R. Goldzwig, "Civil Rights and the Cold War: A Rhetorical History of the Truman Administration's Desegregation of the United States Army," in *Doing Rhetorical History: Concepts and Cases*. Edited by Kathleen J. Turner (Tuscaloosa: University of Alabama Press, 1998), 143-169; Gregory Allen Olson, "'The Deciding Factor: The Rhetorical Construction of Mansfield's Credibility and the Eisenhower Administration's Policy on Diem,'" in *Doing Rhetorical History*, 170-190; James R. Andrews, "Oaths Registered in Heaven: Rhetorical and Historical Legitimacy in the Inaugural Addresses of Jefferson Davis and Abraham Lincoln," in *Doing Rhetorical History*, 95-117.

⁵¹ Hayden White, *Metahistory: The Historical Imagination in Nineteenth-Century Europe* (Baltimore, MD: Johns Hopkins University Press, 1973), 31. The use of the pronoun "his" is White's, not mine.

⁵² David Zarefsky, "Four Senses of Rhetorical History," in *Doing Rhetorical History*, 29.

⁵³ Michael Calvin McGee, "Text, Context, and the Fragmentation of Contemporary Culture," *Western Journal of Speech Communication* 54 (1990): 274-289.

CHAPTER TWO

On the Margins of Citizenship: Disability Law and Roosevelt

An army veteran with a missing leg sits on a sidewalk, hailing passers-by for a few dollars. A child with down-syndrome enters a segregated classroom, hidden away from the prying eyes of his peers. A woman in a wheelchair makes a shopping trip to the market, only to discover that the building is not accessible by ramp. Each of these scenarios shares the same conclusion: a person with a disability is visually and rhetorically segregated from the daily lives of “normal” people. Although the passage of the Americans with Disabilities Act (ADA) made improvements to the lives of some people with disabilities through the implementation of new civil rights law, disability scholars agree that the social stigmatization that plagues people with disabilities has not been explored fully or addressed adequately. What is the origin of this stigma? How does American history account for its long-time exclusion of people with disabilities from the polity? How did early rhetoric function to cast people with disabilities as “other,” deserving of less, inherently inferior, or undesirable? This chapter seeks to answer these questions by exploring the historical, legal, and rhetorical practices that gave shape to discursive norms concerning disability in the twentieth and twenty-first centuries. Undoubtedly, the history of disability is as long, complex, and storied as the individuals who comprise it. One method of understanding the socio-legal climate that gave rise to the structurally ableist society we know today involves a careful review of the significant historical/legal moments that have shaped American views on the subject. Three legal

practices—the implementation of “ugly” laws as a means to segregate and institutionalize people with disabilities, the enactment of Civil War Pensions for wounded veterans, and the rising popularity of eugenics as a means to “deal with” the existence of physical difference—contributed to the social sphere that Theodore Roosevelt inhabited as President of the United States from 1901 to 1909. Roosevelt’s speeches on the frontier myth, American individualism and exceptionalism, hard work, and physical fitness would become famous artifacts for examination among scholars of speech in the coming decades.¹ What is less discussed is that many of Roosevelt’s speeches implicated disability in terms of how Americans were asked to co-construct the ideal citizen. That co-construction, however, depended on the existence of a shared understanding of where people with disabilities ranked in the social hierarchy of American life. To understand that ranking, I turn first to the practice of social segregation that came about in the nineteenth century and was evinced most clearly in the emergence of “ugly laws” that decreed people with disabilities be removed from public sight.

Ugly Law in the Nineteenth Century

In nineteenth century America, people with disabilities lived segregated lives from the “normal” population. Relegated to alms houses and vocational rehabilitation centers, public practice constructed communities in such a way as to keep physical difference at the edge of society.² One of the ways that these practices were emboldened by legal decisions was in the emergence of “ugly laws.” In her book *The Ugly Laws: Disability in Public*, Susan Schweik details the ways that public judgment on the desirability of disability led city legislators to craft ordinance language that codified moral judgments. In fact, multiple cities, including New Orleans, Portland, Lincoln, New

York, San Francisco, Denver, and Columbus, adopted some version of the law before the beginning of the twentieth century.³ Most studied, however, is Chicago's 1881 version, which reads:

Any person who is diseased, maimed, mutilated, or in any way deformed, so as to be an unsightly or disgusting object, or an improper person to be allowed in or on the streets, highways, thoroughfares, or public places, in this city, shall not therein or thereon expose himself to public view, under the penalty of a fine of \$1 for each offense.⁴

Targeting people with disabilities on the streets of Chicago, the law found a way to sequester the “unsightly” from the view of the public. The use of the word “improper” in the law’s language highlights the moral underpinnings that brought about the code’s adoption. Ugly law existed to give legal language to a vast societal agreement that physical difference was something to be ashamed of, and thus hidden from public sight. To possess a physical or mental disability that was detectable by others was the very nature of being an “improper” citizen, although this judgment was applied selectively. While the desire to eliminate begging from crowded city streets was one cause of ugly law implementation, the addition of adjectives like “diseased,” “maimed,” “mutilated,” “unsightly,” and “disgusting,” point to the highly visual nature of these judgments. The problem with these people was not just their mendicancy, but their mendicancy being carried out while looking unsightly or disgusting. These judgments were bolstered by prevailing medical views of the time that categorized people with disabilities as physically and morally inferior to the rest of the population.

Indeed, the heart of ugly law is its use of the “medical model” of disability in determining how society would interact with the disability community.⁵ Under this model, people with disabilities were viewed as victims of biology.⁶ Social Darwinism

stipulated that the genetically fit would survive and reproduce, while the unfit, or abnormal, would die. That a person with cerebral palsy, for example, may be left on the street, begging for sustenance, was not the fault of an uncaring society, but the empirically valid outcome of natural selection. Today, such judgments about the right of an individual to coexist alongside other humans seems outrageous to philosophers, bio-ethicists, disability rights advocates, and many others.⁷ However, the practice of viewing humanity through this “scientific” lens was not only common in the nineteenth century, but accepted widely as an ethically legitimate approach to engaging with the disability community well into the twentieth century.

The preferred method to accommodate people with disabilities, then, was to bring in a doctor to “treat” their symptoms, thus serving the dual purpose of helping the medically abnormal and sequestering such unsightliness from the general population. Importantly, the medical model cast people with disabilities in a subordinate role to their doctors, whose role was to assist patients in ““overcoming’ their impairments.”⁸ The assumption was that people with disabilities needed to be “fixed” to function in a society constructed for the able-bodied, rather than questioning the moral premise that society should be built to accommodate only those who have a predetermined corporeal functionality.⁹ The medical model presents the afflicted with a choice: allow doctors to find some version of a cure for the impairment or accept the societal status of being incurable.¹⁰ Both choices severely restrict the agency afforded to the impaired, turning them into objects that are acted upon, rather than individuals whose rights have been abridged. This fact would later be acknowledged during the congressional proceedings that led to the passage of the ADA, but for nineteenth century lawmakers, doctors, and

social workers, the presence of physical difference entailed the consignment of people with disabilities to the care of medical professionals, hidden away from public view.

While the medical model of disability made critical judgment of people's social worth explainable by scientific theory, it also paved the way for valuations of character judgment. In the text of the Chicago ugly law, emphasis is placed on the person with disability appearing not just physically malformed, but grotesque and disgusting. These words are not simply descriptors of physical difference, but are value-laden judgments that carry with them the connotations of evilness or undeservingness. How were such judgments to be applied uniformly to a diverse group of individuals? Or, rather, what qualified one as being either unsightly or disgusting? As Adrienne Phelps Coco points out, ugly law was not applied equally to people on the streets.¹¹ The capacity of a person with a disability to work and earn a wage was a determining factor in whether being "ugly" in a public place was acceptable to the mainstream. Moreover, the reason for the person's disability was crucial to deciding if that person were worthy of public assistance.

The ability to work, it turns out, became tied intimately to the public's perception of a person with a disability's character and worthiness of citizenship. Following the maxims of the Protestant work ethic, detailed by Max Weber,¹² American communities—through the conduit of poverty relief organizations—sought to define citizenship vis a vis a person's willingness to seek employment as a measure of that person's character. To explain this point, Phelps Coco summarizes the reports of the Relief and Aid Society, a private charity group of nineteenth-century Chicago, that helped members of the disability community find employment.¹³ The group's research into the capacity of people with disabilities to obtain employment yielded the finding that even when such a

person searched actively for a job and was hired (a feat in-and-of-itself), she often had difficulty, for a multitude of reasons, keeping that job.¹⁴ This knowledge, however, did not change the Society's apparently held belief that a small amount of assistance could help most people with disabilities in finding work. The question, then, became one of willingness. Did the person want to work or not? If the answer was no, a person with a disability, begging on the street, could be passed off easily as a member of the "unworthy poor,"¹⁵ or, as the Illinois Board of Public Charities put it, "crippled, lazy, and profligate."¹⁶ Constructions of character, then, are crucial to understanding how members of the disability community were perceived in relation to their employment status and their physical difference. If a person's disability, for example, could be leveraged into cash by performing in a freak show (a common diversion for the public during this period),¹⁷ then physical difference could be viewed more charitably.¹⁸ If, on the other hand, a woman's blindness resulted in the loss of her sewing job,¹⁹ causing her to be placed in an alms house alongside the underserving poor, physical difference was constructed as one means of explaining her laziness.²⁰ While many workers with disabilities suffered from these stigmatizing legal/social practices and resulting popular discourses, one group in the disability community found the support of the federal government and lobbied successfully for public assistance.

Civil War Pensions: Soldiers and Nurses Fight for Assistance

Before the creation of landmark public assistance programs in 1935 by Franklin Roosevelt, the government of the United States had a short but significant track record of providing public funds to assist citizens in need. Beginning in 1818, Congress distributed pensions to impoverished soldiers who survived the Revolutionary War, and in 1832, the

government extended its coverage of war participants to some thirty-three thousand men.²¹ While these measures were scant compared to the legislation that would pass in the second half of the century, they nonetheless highlighted the public's willingness to recognize soldiers' physical sacrifices that resulted in bodily impairment.

The start of the Civil War brought with it increased attention to the tens of thousands of Union Army (UA) participants and their physical needs following battle. In 1861, the federal government passed initial legislation to address the lot of wounded soldiers. The act provided pensions to soldiers who sustained injury from battle and allotted funds for participants' widows and children.²² The following year, Congress formulated the "General Law System," which established a method by which doctors could rate a soldier's disability and report that rating to the newly minted Pension Office in Washington D.C.²³ Using a checklist and various medical diagnostics, a doctor could formulate an assessment of a veteran's disability status, which would then be reviewed by the federal office. The system allowed a veteran to receive eight dollars a month if a doctor rated him "totally disabled," with proportional ratings yielding proportional payments. For example, if a veteran with a lost finger was rated two-eighths disabled, he would be entitled to two dollars per month from the Pension Office.²⁴

Political rousting in the following two decades would bring to light the limits of the American public's charitableness toward UA veterans. As James Marten explains, the expansion of UA pensions became "a wedge issue" during the Gilded Age, with political parties taking sides on the debate.²⁵ The controversy was spurred on by two issues: the drastic expansion of coverage to UA veterans and the resulting public conversations about disability, the capacity to work, and moral deservingness.

Revision of the pension laws in 1864 and 1866 increased the maximum total payout from eight dollars to twenty-five and expanded the definition of disability from visible physical impairment resulting from battle to include illnesses such as malaria, measles, and sunstroke.²⁶ Spending on UA Pensions now increased from fifteen million dollars a year in 1866, to twenty-nine million by 1870.²⁷ Importantly, Theda Skocpol observes that these expenditures were categorized as “military costs.”²⁸ In a decidedly controversial move, Congress passed the Consolidation Act in 1873, which allowed veterans to file for pensions when they contracted a disability following their service, though not as a direct result from it.²⁹ This measure, for example, allowed a UA veteran to receive payment so long as he could make the case that his affliction had begun during his military service. The number of federal dollars spent on UA Pensions soared during this period, as more veterans sought to claim benefits.

The impetus for the extension of the costly pension program remains a point of contention among scholars. Skocpol recognizes the centrality of political rivalries as one causative agent, citing the popularity of political patronage during the time period as a means of courting voters.³⁰ However, she notes that the large federal budget surplus between 1866 and 1893 provided the financial incentive to extend monetary benefits to veterans.³¹ Having a plan for those excess dollars seemed rhetorically astute, especially if that plan could be sold as an investment in patriotic sacrifice. Accordingly, spending on the pension program continued to climb.

By 1890, the pension system underwent drastic changes in legislation, causing government expenditures on the program to balloon to nearly half of the total operating budget.³² The new Disability Pension Act provided for the extension of pensions to any

veteran with a disability who had been discharged honorably after serving a minimum of ninety days.³³ Importantly, the legislation stipulated that the veteran's disability need not have resulted from war at all, so long as it wasn't related to a claimant's "vicious habits,"³⁴ including activities like drinking, smoking, and sexual promiscuity. Here, moral judgment on deservingness became codified into law, and concurrently, public discussion about which veterans with disabilities were worthy of compensation and which were undeserving "fakes" took center stage in American politics on entitlement spending.

A showdown between a skeptical public and an organized group of UA veterans, known as The Grand Army of the Republic, took place as each side made its case on the pension issue. Opponents of the program's expansion took to newspaper editorials and political cartoons in magazines to make their position clear. Marten observes that cartoons published in *Puck* magazine were particularly blunt in their criticism of the Grand Army. He details the cartoons as follows:

The first [illustration], in December 1882, featured "The Insatiable Glutton," a many-armed man wearing a Civil War-era forage cap labeled "U.S. Pensioner," crouching on the floor, scooping coins out of an overflowing bowl labeled "U.S. Treasury." The sleeves on the two dozen or so arms are stitched with "Fraudulent Attorney," "Bogus Widow," "Bogus Grandpa," "Bogus Grandma," "Bogus Orphan," and "Agent." A few years later, a sinister-looking Pension Commissioner Tanner was depicted outside the U.S. Treasury building, holding a horn of plenty—whose long tail, labeled, "Pension Bureau," snaked back into the building—from which coins, bills, and bags of money spilled into dozens of grasping hands.³⁵

Indeed, as expenditures on the pension program climbed, the public's concern about who might be abusing the system was articulated. Interest in the familial ties of pensioners is acutely expressed in the terms "bogus widow," "grandpa," "grandma," and "orphan."

The idea that pensioners were not worthy of assistance unless they presented themselves

as revered, elderly family members or abandoned elderly children is evinced in the word choice of the cartoon. These rhetorical maneuvers point to the underlying assumption that all good American citizens were expected to work to sustain their livelihoods, and that those who did not must have an acceptable explanation for their choice. Describing a pensioner as a grandpa, grandma, or widow humanized them in such a way as to invite the public to view them as needy members of their own family. However, if a pensioner fraudulently claimed familial status, the outrage of a public “duped” into giving away money would be palpable. It was on these fears that the cartoon traded.

President Grover Cleveland weighed in on these discussions following his veto of a proposed pension program expansion. In the *Chicago Times*, Cleveland was quoted as saying, “Thank God! [T]he claim-agents, the demagogues, the dead-beats and...deserters and coffee-coolers and bounty-jumpers, defeated.”³⁶ The article went on to assert that “No country, no nation, political constitution, system, or establishment has ever been saved by...citizens that are not in the habit of depending on themselves.”³⁷ Of course, the country had, in fact, been saved by these veterans, and the ravages of disability had taken a toll on their minds and bodies, thus costing them in medical bills and employment opportunities.

The UA veterans of The Grand Army responded in kind with their own op-eds and letters, arguing for the inherent fairness of the program based on promises that government officials had made them. Marten observes that the text of Abraham Lincoln’s Second Inaugural Address provided a warrant for these claims. Quoting the section that reads “[L]et us strive on to finish the work we are in; to bind up the nation’s wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do

all which may achieve and cherish a just, and lasting peace, among ourselves, and with all nations,” The Grand Army argued that the president himself had guaranteed UA veterans the security of retirement in exchange for their valiant service.³⁸ These pleas were extended not only in the form of public letters, but also in personal ones addressed to members of Congress. Indeed, Skocpol notes that a House Representative in 1882 claimed he received no fewer than fifty letters a week from veterans requesting help in securing a rightly-earned government pension.³⁹ Additionally, members of the Grand Army turned to the prosperity of the nation as an argument for repayment of their services. Citing the facts that personal debts were down, the country’s population was increasing, and the economy’s continued prosperity was evident,⁴⁰ UA veterans argued that their efforts warranted reimbursement. Success in these debates came for The Grand Army, when in 1888, Republican Benjamin Harrison defeated the Democratic incumbent Cleveland. Historians attribute Harrison’s victory largely to veterans’ votes on the East Coast and in the Midwest.⁴¹

While the specter of the dishonest pensioner loomed large in the minds of the public, the discussion of what maladies constituted a disability was played out in medical doctors’ evaluations of veteran claimants. Peter David Blanck and Michael Millender’s survey of over six thousand UA veteran pension applications brings to light a couple of important points regarding the social construction of disability in the nineteenth century: first, their research found that certain types of disability were perceived as more deserving of treatment than others. “Hernias, tumors, and cardiovascular problems” were much more likely to be perceived by the medical evaluator as legitimate disorders deserving of compensation than were “infectious diseases, eye diseases, nervous system

disorders,” and “genito-urinary conditions.”⁴² Accordingly, the researchers found that claimants with disorders in the second category were twice as likely to be rejected by the pension bureau than were claimants in the first category.⁴³ While there is no single, definitive explanation for the varying levels of success in pensioners’ applications, the researchers cite Marjorie Baldwin’s work on disability and prejudice as one possible explanation. Baldwin found that particular disabilities, including mental illness and infectious disease, are more stigmatized by members of modern society than are other disorders.⁴⁴ If these same prejudices held true for nineteenth-century Americans, the disparity in accepted claims makes much more sense.

Just as doctors and the pension bureau were more approving of certain disabilities, the American public showed itself to be more approving of certain kinds of veterans. Peter Blanck and Chen Song explore the revered status held by veterans of the battle at Gettysburg. Initially, their surveys of thousands of pension applications revealed measured inequality in the treatment of applicants based on ethnicity, profession, and the nature of their disability.⁴⁵ But their findings fall in line with a much broader observation about American mythos and the rhetorical construction of those who fought at Gettysburg. Amy Kinsel explains the awe with which the public regarded survivors of the battle, stating that they embodied the values of “self-sacrifice, courage, and a willingness to fight for one’s convictions.”⁴⁶ Americans were primed to accept this account following Lincoln’s famous oration at the site of the battle. As Garry Wills details, the Gettysburg address appealed to nineteenth-century Transcendental modes of thought, and in so doing, rhetorically linked the Declaration of Independence with broader American values of equality. Focusing on the deaths of the soldiers, in the style

of Pericles' funeral oration, allowed Lincoln to identify Gettysburg veterans with the very ideals upon which the country was founded.⁴⁷ By the 1890s, those surviving UA veterans who fought at Gettysburg represented the last vestiges of a great generation who chose to enlist early in the fighting, doing so out of love of country rather than out of profit or greed.

Against this rhetorical landscape, the disability pension question for Gettysburg veterans unfolded uniquely in comparison to that of other Civil War survivors. Blanck and Song find that Gettysburg veterans were seventeen percent more likely to be given an increase in monthly stipend than other admitted applicants.⁴⁸ Additionally, Gettysburg applicants enjoyed a significantly higher level of access to the program overall when compared to the general applicant pool.⁴⁹ When members of the public and the Democratic Party complained of the pension system, their grievances did little to tarnish the reputation of these particular veterans.

Another group of UA pension claimants who fared better in the pension application process was nurses. Although they did not gain broad access to the program until 1892, some of their efforts were rewarded following the lobbying work of middle and upper-middle class white women. Jane Schultz explains that a select group of Civil War nurses were eventually extended pension access based upon the job they performed during the time of conflict.⁵⁰ Job title, however, was often determined based on race and class. Using the "competent authority" test, the pension bureau required a "surgeon, assistant surgeon, hospital steward, or other male officer" to certify that nursing work was performed by the applicant. If the applicant could find a male superior to certify that she had tended to the sick and not "merely" cooked and cleaned for the camp, then she

might be entitled to compensation for her labor.⁵¹ Importantly, the duties of cooking and cleaning were most often assigned to poor women and women of color, while the revered status of “nurse” was granted to wealthy white women who donated their time as volunteers.⁵² It was these women who were most successful in securing benefits at the end of the nineteenth century.

What these examples of the disability pension process highlight is the requirement that the public mind envision the applicant as a morally deserving, upstanding citizen. Rhetorical constructions of character and competency, then, were central in determining whose disabilities were worthy of assistance and whose were not. Equally important in understanding the framing of this worthiness was the cultural interest in and practice of eugenics, which informed how American society viewed people with disabilities in regard to character and citizenship.

Nineteenth Century Eugenics Law and Practices

Eugenic thought seeped into American public consciousness during the nineteenth century and reached its apex in the 1920s.⁵³ Justice Oliver Wendell Holmes’s 1927 decision in *Buck v. Bell* neatly summarizes this thinking when he describes Carrie Buck, a woman who was to be sterilized forcibly by the state of Virginia due to the fact that she had given birth to a child out of wedlock and her own mother was considered mentally retarded.⁵⁴ A cursory examination of Carrie’s child’s mental health asserted that she was an “imbecile.” Thus, the state moved to sterilize Buck on the grounds that “three generations of imbeciles are enough.”⁵⁵ Although Holmes’s decision would be criticized routinely during the latter part of the twentieth century,⁵⁶ the thinking that led to its

acceptance was illustrative of accepted late nineteenth century and early twentieth century legal and social thought regarding people with disabilities.

Indeed, the public's interest in eugenics was clearly a social one whose ramifications were carried out through the law and science. As Frank Dikotter contends, "eugenics was not so much a clear set of scientific principles as a 'modern' way of talking about social problems in biologizing terms."⁵⁷ Marouf Hasian expands on this notion, writing that "eugenical arguments were not simply the creation of a coterie of pseudoscientists, nor were they the products of politicians who misunderstood or misapplied genetical analysis....they were also rhetorical fragments."⁵⁸ Indeed, these rhetorical fragments appear in issues relating to class, gender, race, and physical difference, each the target of eugenicists who sought to build a master human race through the process of "scientific" selection of traits.⁵⁹ To achieve these goals, eugenicists favored sterilization practices, family tree mapping, anti-miscegenation laws, and tough immigration restrictions.⁶⁰ Accordingly, Pamela Block, Fabrico Balcazar, and Christopher Keys observe that the eugenics movements of the early 1900s provided "the primary ideological frame work in which policies and practices were developed to manage marginalized populations."⁶¹

Scholars contend that the very impetus for eugenics was the desire of white elites to solidify class hierarchy.⁶² Beginning with Francis Galton's 1865 essay "Hereditary Talent and Character," British intellectuals were introduced to the idea that differences in social achievement should be linked to genetics. On this topic, Galton wrote:

Social position is an especially important aid to success in statesmanship and generalship; for it is notorious that neither the Legislature nor the army afford, in their highest ranks, an open arena to the ablest intellects. The sons of the favoured classes are introduced early in life to both these fields of trial, with every

encouragement to support them. Those of the lower classes are delayed and discouraged in their start; and when they are near the coveted goal, they find themselves aged. They are too late: they are not beaten by the superior merit of their contemporaries, but by time.⁶³

Galton's essay went on to chronicle the number of successful men who were biologically related to other successful men, concluding that genetics played a most significant role in predicting a person's success in public life.

In America, Galton's ideas were adopted by Henry H. Goddard, a researcher who employed the methods of "family studies" to map out the transmission of genes among related people.⁶⁴ His 1912 book, *The Kallikak Family: A Study in the Heredity of Feeble-Mindedness*, highlights the connection between constructions of disability and issues of class by documenting the physical/medical issues of several generations of a poor family. Goddard's tracing of the family members' "drunkenness, crime, venereal disease, mental defect and derangement, [and] epilepsy" were used as evidence of the family's moral bankruptcy.⁶⁵ While Goddard's contemporary Richard Dugdale concluded that poverty was the root cause of these physical ailments or differences—thus suggesting that society ought to eliminate poverty to help people with disabilities—eugenicists of the early twentieth century took these findings to mean that people with disabilities were the cause of destitution.⁶⁶ Thus, removing these people's DNA from the American gene pool was seen as a reasonable response to the problem of rampant poverty that was common during the Progressive Era.

Gender, too, figured into the eugenics equation as eugenicists worked to police women's sexual behaviors. While Carrie Buck was targeted for giving birth as an unmarried woman, women across the nation suffered more broadly from a societal obsession with Republican Motherhood. Linda Kerber characterizes the republican

mother as the woman who receives a moral education that could then be passed on to her children.⁶⁷ With this knowledge, she was expected to raise virtuous sons who would contribute to public life, thereby making government more morally sound. Early on, then, mothers were expected to produce a certain kind of child. Importantly, it was the singular influence of the mother that would determine whether her offspring would make a positive contribution to society. This ideology provided the social narrative that encouraged eugenicists to examine women's reproduction as a method of ensuring the purity of the population.

Progressive era social workers, for example, contributed to the adoption of this narrative as they worked to categorize and separate "fit" women from unfit women. Jane Addams, famous social reformer and advocate for the poor,⁶⁸ was one such progressive whose rhetoric reinscribed the cultural logic of sexism that worked in concert with ableism. As Angie Kennedy explains, Addams's book *The Spirit of Youth and the City Streets* demarcated which behaviors separated wayward, innocent young women who were capable of reform from degenerate ones who were beyond the help of social workers.⁶⁹ In one passage, Addams characterizes degenerate girls as "the children of careless or dissolute mothers who fall into all sorts of degenerate habits and association before childhood has passed."⁷⁰ Here, the focus on the pedigree of the "degenerate" girl echoes the eugenic thinking forwarded initially by Galton.

Perhaps most disturbing of all, social concerns about race were exemplified through the American eugenics movement, specifically in the context of immigration and anti-miscegenation laws. These worries were evinced in the passage of several statutes that determined which races of people were welcome in the United States. The Chinese

Exclusion Act of 1882 set the precedent for limiting immigration on the basis of ethnicity alone.⁷¹ Shortly after, Congress authorized the Immigration Act of 1917, which established literacy requirements for peoples entering the United States. Both were illustrative of the overarching cultural fear, spurred by the work of eugenicists, that the white race in America was under assault by the influx of people of color. As Block, Balcazar, and Keys point out, many eugenicists subscribed to the notion of race hierarchy, which stipulated that white people were genetically superior to non-white people.⁷² One role of the government, then, was to curtail the population of people of color by restricting the avenues of immigration available to non-whites. The other was evinced in the adoption of anti-miscegenation laws that controlled marriage between white and non-white people. In Virginia, the Racial Integrity Act of 1924 forbade a white person from marrying someone of another race.⁷³ The interest in passing this legislation stemmed from a cultural preoccupation with maintaining the white population. Legislators were unconcerned about non-white people procreating with other non-white people; however, the notion that the superiority of the white race would be degraded by the mixing in of “inferior” races spurred the passage of similar laws around the country. Disability, then, was defined so broadly as to encompass entire ethnicities and races. Illustratively, the belief that blacks and immigrants were of “inferior intelligence”⁷⁴ due to their supposed propensity for “illicit pregnancy, prostitution, gambling, alcoholism, drug addiction, tuberculosis, and syphilis”⁷⁵ drove eugenic thought to the forefront of American politics in the Progressive Era and helped define what it meant to be a person with a disability during that time period.

Social interest in the control of poor people, women, and people of color each intersected with social interest in disability. As laws and cultural practices emerged to address these issues at the turn of the century, presidential discourse worked to exemplify and extend these modes of thought. Analysis of Theodore Roosevelt's speeches during his presidency reveals how these attitudes were constructed in the public mind.

Roosevelt and the Lockean Good Citizen

An exemplar of American oratory at the turn of the century, Theodore Roosevelt was lauded for his character, his grit, and his commitment to American ideals. His rhetorically constructed strength of character was matched by physical strength, as he famously delivered a campaign speech after taking a bullet to the chest.⁷⁶ As this section will show, the physical and rhetorical were linked intimately for Roosevelt. I argue that Roosevelt implicates physical ability in his speeches that discuss national character and ideals of citizenship. Specifically, I contend that he calls upon Lockean notions of liberal citizenship that were put forth in the public arena of discourse by eugenicists at the turn of the century in order to define the characteristics of a "good" citizen.

Scholars of rhetoric have attended to Roosevelt's discursive motifs and speaking style. Leroy Dorsey notes that the frontier myth provided the rhetorical scene on which Roosevelt painted his conception of the yeoman farmer, an embodiment of the ideal citizen.⁷⁷ Mary Stuckey explains that Roosevelt's speech on the Brownsville Raid worked to reify American national identity and to reinscribe black citizens' place in the social sphere, all while positioning the presidency as the locus for understanding national identity.⁷⁸ Jon Paulson explains Roosevelt's oratorical style as one that relied primarily on the construction of the "good citizen" as the basis for his political philosophy.⁷⁹

Specifically, Paulson explains that Roosevelt invited audiences to participate in the rhetorical situation he constructed on the campaign trail by using representative anecdote as a form of epideictic speech.⁸⁰ Following Perelman and Olbrechts-Tyteca, Paulson explains that epideictic speech is used to bring “presence to physical values that can be drawn upon in later deliberation.”⁸¹ Using representative anecdote, Roosevelt demarcated the qualities of the good American citizen, and used his physical interaction with the audiences he met on tour to enact his vision of good citizenship and strength of character.

These understandings of Roosevelt’s speaking underscore the centrality of discursive constructions of citizenship to his speeches, particularly as he interacted with the physical audience on his speaking tours. In addition to these points, we should add that cultural thinking about disability, especially that which was offered by eugenicists, was implicated in Roosevelt’s focus on liberal narratives of citizenship, derived from John Locke. While representative anecdote provides us with one useful way of totalizing Roosevelt’s speeches, Locke’s theory of liberal citizenship helps to explain why physical difference came to occupy a space antithetical to that of the good citizen.

One of the original thinkers to espouse liberal political theory, John Locke forwarded a contractarian view of societal relations that was built specifically around the actions of the individual. As Peter Schuck notes, Locke viewed humans as naturally possessing the capacity for reason, given to them by God.⁸² The ability to reason explains why humans can leave the state of nature and enter contracts with one another to form a civilized society—to form governments. While Locke acknowledges that people do often behave in ways that he would deem “irrational,” Schuck explains that Locke believes “most people most of the time will exercise their reason, making just law and government

possible.”⁸³ Indeed, Locke’s logic relies upon the idea of “most” in differentiating which people will be eligible for citizenship in their societies and which will not. Specifically, it is those who labor upon the land—thus claiming ownership of it—who should be considered citizens.⁸⁴ Private property and individual labor become the central factors in determining social participation outside of the state of nature. It is this rhetoric of individualism—the contracting for rights via labor—that spurred some eugenicists’ justification of their discriminatory practices toward people with disabilities. In turn, this strand of liberalism is exemplified in Roosevelt’s speeches.

The practice of eugenics relied upon Lockean liberalism to make its arguments for segregation and sterilization. Allison Carey explains that nineteenth century doctors’ defining of “feeble-mindedness” as a problem emanating specifically from the individual set the backdrop for the rhetorical othering of people with disabilities:

Once the individual was defined as the problem, solutions geared to controlling the individual through such mechanisms as segregation and rights restrictions seemed logical, while the importance of potential environmental solutions, such as overcoming poverty and inequality, were minimized.⁸⁵

Indeed, early laws addressing the rights of people with disabilities highlighted the focus on autonomy as a requirement for citizenship. For example, legal contracts were considered voidable if one of the parties was found to be mentally incompetent.⁸⁶ Furthermore, the courts could deprive a person of her private property for the same reason.⁸⁷ Thus, individual competence and autonomy, hard work, and physical labor upon one’s private property were solidified as determining factors for citizenship and as indicators of positive national ethos. Such pronouncements about what makes a good American were then expounded upon in presidential speech as Roosevelt set forth his vision of the optimal citizen.

Autonomy

Roosevelt's speeches exhibit the repeated theme of the valorization of individual autonomy, independence, self-control, and self-sufficiency when defining the characteristics of the ideal citizen. Although he remarks in an 1893 address before the Liberal Club of Buffalo that a good American must not be "misled into following out and trying to apply all the theories of the political thinkers of other countries, such as Germany and France, to our own entirely different condition,"⁸⁸ Roosevelt's absolute reliance upon British Enlightenment political thinking is evidenced throughout two decades of his speaking career.

Roosevelt demarcates the personal requirements for successful citizenship early on in 1900, when he explains that success is always dependent upon a man's ability to competently care for himself, "and for the bringing up of those dependent on him."⁸⁹ To exemplify the qualities of a good citizen, he argues, a man must not rely upon others to assist him in the daily struggles of life. It is only through rugged self-reliance and a commitment to individualism that a man can be considered a true American. In an address to the Young Men's Christian Association of New York in December of 1900, Roosevelt makes his commitment to the doctrine of individualism unambiguous: "Nowhere is it, or will it ever be, possible to supplant individual effort, individual initiative."⁹⁰ Roosevelt's decision to begin with this assertion is noteworthy, given the rhetorical situation. On this occasion, he was speaking to a Christian organization concerned primarily with charitable work toward young men in need. Instead of lauding the organization as a unit that exists to bring about social change, Roosevelt is careful to focus on the individual efforts of the men who compose the organization. While he

admits that sometimes work must be carried out “in combination,”⁹¹ he is quick to explain that the “spirit of brotherhood recognizes of necessity both the need of self-help and also the need of helping others in the only way which ever ultimately does great good, that is, of helping them to help themselves.”⁹² Under this logic, if a man is not autonomous, he cannot embody the characteristics of the ideal American. To the issue of disability, Roosevelt draws a stark comparison when he notes that “widows,” “very aged people,” and “cripples” are always deserving of charity.⁹³ These Americans are not expected to be autonomous. Simultaneously, however, Roosevelt constructs them not as full-fledged citizens, but as beneficiaries of the kindness of the strong, hearty men who exemplify the national ethos.

Another embodiment of independence as evidence of national virtue is found in Roosevelt’s regular discussions of self-governance and self-control. Although he routinely speaks of self-governance in the macro-political sense, he carefully draws a parallel to personal self-control. On the topic, he says the following in a speech at the University of Wisconsin in 1911:

We teach a boy that government means to control himself, and he is able to escape the need of parental control just so far as he develops that power of self-control. There are some boys you can trust, and who are able to shift for themselves just because they are able to control themselves. So it is with our citizenship.... You cannot give self-government to anybody. He has got to earn it for himself. You can give him the chance to obtain self-government, but he himself out of his own heart must do the governing. He must govern himself. That is what it means. That is what self-government means.⁹⁴

Self-governance, both in the political sense and the personal sense, is up to the individual. The implications for disability here are particularly striking, as one imagines the lack of physical control that some people with disabilities exhibit. It is not enough, in Roosevelt’s rhetoric, to be a good steward of the nation by advocating for democracy;

rather, the individual bodies of each citizen must also conform to a rigid scheme of bodily autonomy in order that the nation maintain its capacity for government by the people. Indeed, the importance of extending self-government via the mandate of personal self-control is underscored further in a speech regarding the administration of the island possessions. Speaking about the United States' acquisition of the Philippines, Roosevelt asserts that Filipino men's capacity (or lack thereof) for self-governance determines their ability to be considered good citizens of their own nation.⁹⁵ It is the responsibility of the United States, in Roosevelt's view, to assist the Filipinos in cultivating a commitment to self-control that will then carry through to successful self-government.

Indeed, the importance of self-governance is so central to American character that Roosevelt positions it as the salve to heal the wounds of class division. In a speech delivered in Dallas in 1905, Roosevelt claims that "the line of cleavage between good citizenship and bad citizenship separates the rich man who does well from the poor man who does ill, the poor man of good conduct from the poor man of bad conduct."⁹⁶ As long as all Americans are committed equally to the ideal of individualism through self-reliance, Roosevelt proclaims, class division should not harm the United States.

Roosevelt's final appeal to Lockean independence and individualism is evinced in explorations of efficiency as a driving concept of citizenship. In a speech to the boys of the Hill School, Roosevelt explains that efficiency should be thought of as the ability to "pull your own weight" or the ability to "hold your own."⁹⁷ Using anecdote to explain his point, Roosevelt tells the schoolboy audience that he often receives letters from aspiring writers asking him how they should go about getting the public to read their work. Roosevelt's answer is succinct: "make them interesting."⁹⁸ The work of making

something interesting is described as the very act of efficiency. Being able to “keep your own head above water,” by figuring out, at all costs, a manner of succeeding is Roosevelt’s bedrock advice for his audience. Just as Locke proposed that citizenship be based upon individual effort, Roosevelt reasserts this thinking as he constructs the ideal citizen as one who embraces self-reliance at every possible juncture. Whether a citizen is personally capable of doing so is of less rhetorical importance than that the act of brute self-reliance be achieved in the name of good character.

Hard work

Central to all of Roosevelt’s speeches is the notion that hard work defines American ethos. Most famously, Roosevelt constructs an appeal to hard work as the reason for America’s successful expansion westward. At the dedication ceremonies of the Louisiana Purchase Exposition, Roosevelt explains that the fruits of Manifest Destiny are deserved by the American people because of their labor upon the land.⁹⁹ Not dissimilar to Locke’s suggestion that a man can own private property only if he labors upon it, Roosevelt asserts that even though “the old pioneer days are gone,”¹⁰⁰ Americans are still tasked with the same objective that the frontiersman completed: to embody the “manliness” and “stalwart hardihood” that allowed the settlers to claim the West.¹⁰¹ Similarly, Roosevelt’s 1910 speech “The Man in the Arena” explicates the evolution of civilizations as one marked by the “hard materialism” that drove nations to expand their empires.¹⁰² Roosevelt’s now famous words, “the credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood,”¹⁰³ summarize neatly the argument that hard work is the saving grace of a citizenry.

Another venue where hard work is explained in terms of citizenship is in Roosevelt's descriptions of the ideal American family. Speaking to the New York YMCA, he says "the man who will not work hard for his wife and his little ones... [has] no place striving upward and onward."¹⁰⁴ Indeed, a man's status as citizen rests upon his ability and willingness to work hard to provide materially for his family. To female citizens, too, Roosevelt delivers a similar message in his address before the National Congress of Mothers: "Yours is the work which is never ended."¹⁰⁵ Invoking an appeal to Republican Motherhood, he continues to explain that women's work in raising children is especially important to the maintenance of the nation. The warning for mothers is to avoid raising "selfish" boys or "idle" girls, lest they become ruinous to the character of the country.¹⁰⁶ Without the presence of hard work, the citizenry, Roosevelt suggests, will crumble under vicious inefficiency. Again, as Locke demarcated hard work as the perquisite for participation in the civic sphere, here too Roosevelt reasserts that view.

Physical Fitness and Labor

If Roosevelt's speeches are known for one recurring element, it is probably his proclivity to proclaim physical strength and manliness as the defining characteristic of Americans. This point most directly implicates disability, but it also highlights the connection that Roosevelt's thought shares with Locke's. For Locke, it is the act of physical labor that determines whether a man can claim land as his own property. For Roosevelt, it is the act of physical labor that determines whether a man can call himself a true American.

Roosevelt explains the importance of physical robustness in his essay "The American Boy," published in *St. Nicholas* in 1900. He takes up the question of physical

fitness in athletics, and asserts that the American boy has been well served by his participation in strenuous exercise.¹⁰⁷ Roosevelt says that the very development of the body has a direct relationship with the development of a boy's good character.¹⁰⁸ Importantly, he distinguishes between physical labor for the purpose of mere enjoyment and physical labor for the purpose of bettering one's work ethic and character.¹⁰⁹ To illustrate his point, Roosevelt takes aim at English fox-hunters who become so engrossed in their sport that they fail to achieve anything of significance in their lives.¹¹⁰ For Roosevelt, this kind of foolery is the basis for poor citizenship because it wastes the salient benefits that physical exertion confers on the mind. Rather, a boy who uses sport as an opportunity to solidify his commitment to efficiency is one who will make the nation proud. Together with intellectual study, Roosevelt defines good character as being strengthened, necessarily, by physical prowess. To exemplify this point, he uses a metaphor of disability as he warns against advocating for blindness simply because some boys have "triumphed" over their physical infirmity.¹¹¹ Boys, he says, must be both intellectually and physically strong if they are to amount to anything in American society.

Attention to sport as evidence of character is explored again in Roosevelt's "The Conditions of Success" delivered to the Cambridge Union in 1910. With gusto, Roosevelt tells his undergraduate listeners that "most men can ride hard if they choose. Almost any man can kill a lion if he will exercise a little resolution in training the qualities that will enable him to do it."¹¹² The man need only avoid getting "flustered so that he will press the trigger steadily instead of jerking it."¹¹³ One can imagine that this process of character building is not meant to be extended to men with disabilities; however, Roosevelt's delight in proclaiming the ease of its attainment is received with laughter and applause

from his hearty audience. In contrast with the lion-killing man, Roosevelt refers to the “intellectual gentleman” who does not fight, but who repeats “platitudes.”¹¹⁴ Drawing mirth from the audience, Roosevelt concludes that both good government and good character rely upon a man possessing the virtues of both intelligence and physical dominion.¹¹⁵

Physical strength is also of importance to Roosevelt in the eugenic sense of encouraging Americans to breed strong children. In “Strength and Decency,” Roosevelt tells the audience that he is “not addressing weaklings” but is speaking to “strong, vigorous, men” who are engaged in the travails of real life.¹¹⁶ Again, in “The Duties of American Citizenship,” he proclaims that a “an ideal citizen must be the father of many healthy children.”¹¹⁷ Indeed, the specter of sterility, for Roosevelt, would be the death nail in the continuation of a prosperous nation.

Conclusion: A Bridge to the Reform Era

Roosevelt’s repeated attention to individualism and autonomy, hard work, and physical labor and strength all highlight his commitment to Lockean ideals of self-governance. More important for discussions on disability and citizenship, Roosevelt’s rhetorical commitment to these ideals explicitly segregates and marginalizes people with disabilities, as they often are constructed as existing outside of the narrow confines of manly citizenship that he espouses.

These findings may seem unsurprising given the extensive socio-legal history of marginalization and discrimination toward the disability community. The rhetoric employed by writers of Ugly Laws, editorials maligning the extension of UA pensions, and the prevalence of eugenics statutes collectively provide a window into the cultural

logics that allowed such practices to occur. Of equal importance is the understanding that these logics persisted well into the twentieth century, and indeed occur to this day. This thinking provided the basis for public discussion on physical ability and education, a platform that President Kennedy would address in his short career.

Notes

¹ See Leroy G. Dorsey and Rachel M. Harlow, "'We Want Americans Pure and Simple': Theodore Roosevelt and the Myth of Americanism," *Rhetoric & Public Affairs* 6 (2003): 55-78; Jon Paulson, "Theodore Roosevelt and the Rhetoric of Citizenship: On Tour in New England, 1902," *Communication Quarterly* 50 (2002); Harold Zyskind, "A Case Study in Philosophic Rhetoric: Theodore Roosevelt." *Philosophy & Rhetoric* 1 (1968): 228-254; Robert A. Bode, "President Theodore Roosevelt's Rhetoric and Symbolic Acts: Communication and Rhetorical Implications." *North Dakota Journal of Speech & Theatre* 2 (1989): 32-38; Mary E. Stuckey, "Establishing the Rhetorical Presidency through Presidential Rhetoric: Theodore Roosevelt and the Brownsville Raid." *Quarterly Journal of Speech* 92 (2006): 287-309; John M. Murphy, "The Heroic Tradition in Presidential Rhetoric." *Rhetoric & Public Affairs* 3 (2000): 466-470; Leroy G. Dorsey "The Frontier Myth in Presidential Rhetoric: Theodore Roosevelt's Campaign for Conservation." *Western Journal of Communication* 59 (1995): 1-19.

² Jonathan C. Drimmer, "Cripples, Overcomers, and Civil Rights: Tracing the Evolution of Federal Legislation and Social Policy for People with Disabilities," *UCLA Law Review* 40 (1993): 6.

³ Susan M. Schweik, *The Ugly Laws: Disability in Public* (New York: New York University Press, 2009). 3. 10.

⁴ Schweik, *The Ugly Laws*, 1-2.

⁵ Drimmer, "Cripples," 6.

⁶ Kristin Booth Glen, "Changing Paradigms: Mental Capacity, Legal Capacity, Guardianship, and Beyond," *Columbia Human Rights Law Review* 44 (2012): 6.

⁷ Nancy E. Hansen and Heidi L. Janz, and Dick J. Sobsey. "21st Century Eugenics?" *Lancet* (December 21, 2008): S104-S107.

⁸ Peter David Blanck and Michael Millender. "Symposium: The Americans with Disabilities Act: A Ten-Year Retrospective: Before Disability Civil Rights: Civil War Pensions and the Politics of Disability in America." *Alabama Law Review* 52 (2000): 2.

⁹ Blanck and Millender, "Symposium," 2.

¹⁰ Drimmer, "Cripples," 2.

¹¹ Adrienne Phelps Coco. "Diseased, Maimed, Mutilated: Categorizations of Disability and an Ugly Law in Late Nineteenth-Century Chicago," *Journal of Social History* 44 (2010): 24.

¹² Max Weber, *The Protestant Ethic and the Spirit of Capitalism: And Other Writings*, Edited by Peter Baehr, and Gordon C. Wells (New York: Penguin Classics, 2002).

¹³ Phelps Coco, "Diseased," 28.

¹⁴ Phelps Coco, "Diseased," 29.

¹⁵ Phelps Coco, "Diseased," 29.

¹⁶ *Sixth Biennial Report of the Board of State Commissioners of Public Charities of the State of Illinois* (Springfield, 1880), 44-45.

¹⁷ Robert Bogdan, *Freak Show: Presenting Human Oddities for Amusement and Profit* (Chicago, IL: University of Chicago Press, 1990).

- ¹⁸ Phelps Coco, "Diseased," 30.
- ¹⁹ Phelps Coco, "Diseased," 29.
- ²⁰ The connection between "idle begging," disability, and laziness is explored more fully in Deborah A. Stone's *The Disabled State* (Philadelphia, PA: Temple University Press, 1984). 35-38.
- ²¹ Blanck and Millender, "Symposium," 4.
- ²² Peter Blanck and Chen Song, "'Never Forget What They Did Here:' Civil War Pensions for Gettysburg Union Army Veterans and Disability in Nineteenth-Century America," *William & Mary Law Review* 44 (2003): 1116.
- ²³ Blanck and Millender, "Symposium," 4.
- ²⁴ Blanck and Millender, "Symposium," 4.
- ²⁵ James Marten, "Those Who Have Borne the Battle: Civil War Veterans, Pensions Advocacy, and Politics," *Marquette University Law Review* 93 (2010): 1407.
- ²⁶ Blanck and Millender, "Symposium," 4; Blanck and Song, "Never Forget," 1117.
- ²⁷ Blanck and Millender, "Symposium," 4.
- ²⁸ Theda Skocpol, *Protecting Soldiers and Mothers: The Politics and Origins of Social Policy in the United States* (Cambridge, MA: Harvard University Press, 1992), 102.
- ²⁹ Blanck and Song, "Never Forget," 1117.
- ³⁰ Skocpol, *Protecting Soldiers and Mothers*, 123.
- ³¹ Skocpol, *Protecting Soldiers and Mothers*, 113.
- ³² Blanck and Millender, "Symposium," 5.
- ³³ Marten, "Those Who Have Borne the Battle," 1409.
- ³⁴ Marten, "Those Who Have Borne the Battle," 1409.
- ³⁵ Marten, "Those Who Have Borne the Battle," 1410.
- ³⁶ Marten, "Those Who Have Borne the Battle," 1409.
- ³⁷ Marten, "Those Who Have Borne the Battle," 1409-1410.
- ³⁸ Marten, "Those Who Have Borne the Battle," 1407.
- ³⁹ Skocpol, *Protecting Soldiers and Mothers*, 121.
- ⁴⁰ Marten, "Those Who Have Borne the Battle," 1412.
- ⁴¹ Blanck and Millender, "Symposium," 6.
- ⁴² Blanck and Millender, "Symposium," 11-12.

- ⁴³ Blanck and Millender, "Symposium," 12.
- ⁴⁴ Marjorie L. Baldwin, "Can the ADA Achieve its Employment Goals?" 549 *Annals American Academy of Politics & Social Science* (1997): 37, 45, 52.
- ⁴⁵ Blanck and Song, "Never Forget," 1114.
- ⁴⁶ Amy J. Kinsel, "From Turning Point to Peace Memorial: A Cultural Legacy," in *The Gettysburg Nobody Knows*, ed. Gabor S. Boritt. (New York: Oxford University Press (1997) 222.
- ⁴⁷ Garry Wills, *Lincoln at Gettysburg: The Words that Remade America* (New York: Simon and Schuster, 2006).
- ⁴⁸ Blanck and Song, "Never Forget," 1164.
- ⁴⁹ Blanck and Song, "Never Forget," 1164.
- ⁵⁰ Jane E. Schultz, "Race, Gender, and Bureaucracy: Civil War Army Nurses and the Pension Bureau," *Journal of Women's History* 6 (1994): 51.
- ⁵¹ Schultz, "Race, Gender, Bureaucracy," 51.
- ⁵² Schultz, "Race, Gender, Bureaucracy," 61.
- ⁵³ Robert L. Burgdorf Jr. and Marcia Pearce Burgdorf, "The Wicked Witch is Almost Dead": *Buck v. Bell* and the Sterilization of Handicapped Persons," *Temple Law Quarterly* 50 (1976): 997.
- ⁵⁴ Burgdorf Jr. and Burgdorf, "The Wicked Witch," 1002.
- ⁵⁵ *Buck v. Bell*. 274 U.S. 207 (1927).
- ⁵⁶ Burgdorf Jr. and Burgdorf, "The Wicked Witch," 1006.
- ⁵⁷ Frank Dikotter, "Race Culture: Recent Perspectives on the History of Eugenics," *American Historical Review* 103 (1998): 467.
- ⁵⁸ Marouf Hasian, *The Rhetoric of Eugenics in Anglo-American Thought* (Athens: University of Georgia Press, 1996). 22-23.
- ⁵⁹ Karen A. Keely, "Poverty, Sterilization, and Eugenics in Erskine Caldwell's *Tobacco Road*," *Journal of American Studies* 36 (2002). 23.
- ⁶⁰ Ann G. Winfield, "Resuscitating Bad Science: Eugenics Past and Present," in *The Assault on Public Education*, Edited by William H. Watkins (New York: Teachers College Press, 2012), 147.
- ⁶¹ Pamela Block, Fabrico E. Balcazar, and Christopher B. Keys, "Race, Poverty and Disability: Three Strikes and You're Out! Or Are You?" *Social Policy* 33 (2002): 34.
- ⁶² Block, Balcazar, and Keys, "Race, Poverty and Disability," 34.
- ⁶³ Francis Galton, "Hereditary Character and Talent," *Macmillan's Magazine*, 12 (1865): 157-166.
- ⁶⁴ Keely, "Poverty, Sterilization, and Eugenics," 25.
- ⁶⁵ Keely, "Poverty, Sterilization, and Eugenics," 25.

- ⁶⁶ Keely, "Poverty, Sterilization, and Eugenics," 25.
- ⁶⁷ Linda Kerber, "The Republican Mother: Women and the Enlightenment—An American Perspective," *American Quarterly* 28 (1976).
- ⁶⁸ Louise W. Knight, *Jane Addams: Spirit in Action* (New York: W&W Norton and Company, 2010).
- ⁶⁹ Angie C. Kennedy, "Eugenics, 'Degenerate Girls,' and Social Workers During the Progressive Era," *Journal of Women and Social Work* 23 (2008): 31.
- ⁷⁰ Jane Addams, *The Spirit of Youth and the City Streets* (Champaign: University of Illinois Press (1909; rpt). 45-46.
- ⁷¹ For an extensive account of the rhetorical work done in the Chinese Exclusion Act, See Roger Daniels' "Chinese Exclusion: Causes and Consequences, 1882-1943," in *Who Belongs in America? Presidents, Rhetoric and Immigration*, ed. Vanessa Beasley (College Station: Texas A&M University Press, 2006): 89-106.
- ⁷² Block, Balcazar, and Keys, "Race, Poverty and Disability," 34.
- ⁷³ Lisa Linquist Dorr, "Arm in Arm: Gender, Eugenics, and Virginia's Racial Integrity Acts of the 1920s," *Journal of Women's History* 11 (1999). 144.
- ⁷⁴ Block, Balcazar, and Keys, "Race, Poverty and Disability," 35.
- ⁷⁵ Block, Balcazar, and Keys, "Race, Poverty and Disability," 35.
- ⁷⁶ Patricia O'Toole, "The Speech That Saved Teddy Roosevelt's Life," *Smithsonian*, November 2012. <http://www.smithsonianmag.com/history/the-speech-that-saved-teddy-roosevelts-life-83479091/>.
- ⁷⁷ Leroy G. Dorsey "The Frontier Myth in Presidential Rhetoric: Theodore Roosevelt's Campaign for Conservation." *Western Journal of Communication* 59 (1995): 3.
- ⁷⁸ Mary E. Stuckey, "Establishing the Rhetorical Presidency through Presidential Rhetoric: Theodore Roosevelt and the Brownsville Raid," *Quarterly Journal of Speech* 92 (2006): 289-290.
- ⁷⁹ Jon Paulson, "Theodore Roosevelt and the Rhetoric of Citizenship: On Tour in New England, 1902," *Communication Quarterly* 50 (2002): 123-134.
- ⁸⁰ Paulson, "Theodore Roosevelt and the Rhetoric of Citizenship,".
- ⁸¹ Paulson, "Theodore Roosevelt and the Rhetoric of Citizenship," 124; Chaim Perelman and Lucy Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation*. (Notre Dame: University of Notre Dame Press, 1969).
- ⁸² Peter H. Schuck, "Liberal Citizenship," in *Handbook of Citizenship Studies*, ed. Engin F. Isin and Bryan S. Turner (London, England: Sage, 2002): 133; John Locke, *Locke: Two Treatises of Government*. ed. Peter Laslett. 3rd edition. (Cambridge: Cambridge University Press, 1988. (1690).
- ⁸³ Schuck, "Liberal Citizenship," 133.
- ⁸⁴ Schuck, "Liberal Citizenship," 133.

- ⁸⁵ Allison C. Carey, "Beyond the Medical Model: A Reconsideration of 'Feeble-mindedness,' Citizenship, and Eugenic Restrictions," *Disability and Society* 18 (2003): 412.
- ⁸⁶ Carey, "Beyond the Medical Model," 415.
- ⁸⁷ Carey, "Beyond the Medical Model," 415.
- ⁸⁸ Theodore Roosevelt, "The Duties of American Citizenship," (speech, Buffalo, NY, 1893): 15. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.
- ⁸⁹ Theodore Roosevelt, "Character and Success," *The Outlook*, (March 31, 1900): 2. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.
- ⁹⁰ Theodore Roosevelt, "Christian Citizenship," (speech, New York, 1900): 1. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.
- ⁹¹ Roosevelt, "Christian Citizenship," 1.
- ⁹² Roosevelt, "Christian Citizenship," 2.
- ⁹³ Roosevelt, "Christian Citizenship," 6.
- ⁹⁴ Theodore Roosevelt, "Duty and Self-Control," (speech, Madison, WI; April 15, 1911): 2. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.
- ⁹⁵ Theodore Roosevelt, "The Administration of the Island Possessions," (speech, Hartford, CT, August 22, 1902): 5. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.
- ⁹⁶ Theodore Roosevelt, "The Square Deal," (speech, Dallas, TX, April 5, 1905): 3. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.
- ⁹⁷ Theodore Roosevelt, "An Address to the Boys of the Hill School," (speech, Pottstown, PA, No date): 2. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.
- ⁹⁸ Roosevelt, "An Address to the Boys," 2.
- ⁹⁹ Theodore Roosevelt, "At the Dedication Ceremonies of the Louisiana Purchase Exposition," (speech, St. Louis, MO: April 30, 1903): 2. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.
- ¹⁰⁰ Roosevelt, "At the Dedication Ceremonies," 6.
- ¹⁰¹ Roosevelt, "At the Dedication Ceremonies," 6.
- ¹⁰² Theodore Roosevelt, "The Man in the Arena," (speech, Paris, France; April 23, 1910): 2. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.
- ¹⁰³ Roosevelt, "The Man in the Arena," 4.
- ¹⁰⁴ Roosevelt, "Christian Citizenship," 10.
- ¹⁰⁵ Theodore Roosevelt, "Address Before the National Congress of Mothers," (speech, Washington, D.C., March 13, 1905): 3. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.

¹⁰⁶ Roosevelt, "Address Before the National Congress of Mothers," 4-5.

¹⁰⁷ Theodore Roosevelt, "The American Boy," *St. Nicholas*, (May 1900): 1. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.

¹⁰⁸ Roosevelt, "The American Boy," 1.

¹⁰⁹ Roosevelt, "The American Boy," 2.

¹¹⁰ Roosevelt, "The American Boy," 2.

¹¹¹ Roosevelt, "The American Boy," 3.

¹¹² Theodore Roosevelt, "The Conditions of Success," (speech, Cambridge, MA: May 26, 1910): 6. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.

¹¹³ Roosevelt, "The Conditions of Success," 7.

¹¹⁴ Roosevelt, "The Conditions of Success," 7.

¹¹⁵ Roosevelt, "The Conditions of Success," 8.

¹¹⁶ Theodore Roosevelt, "Strength and Decency," (speech, New York, August 16, 1903): 1. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.

¹¹⁷ Roosevelt, "The Duties of American Citizenship," 1.

CHAPTER THREE

Kennedy and the Era of Disability Education

Issues of citizenship and disability became no less relevant to the American public as the twentieth century moved forward past both world wars. The mangling of soldiers' bodies following World War I encouraged the federal government to pick up the mantle, as it had done for Civil War veterans, and provide assistance to men returning from battle.¹ World War II brought with it an increased suspicion toward eugenic thought as the travesties visited upon the victims of Hitler's concentration camps became widely known. By the 1950s, public attitude toward people with disabilities had shifted. People no longer took for granted the notion that loved ones ought to be segregated and institutionalized based solely on the presence of physical difference. Court decisions like the one offered in *Watson v City of Cambridge* (1893) that explicitly allowed the expulsion of children with disabilities from the classroom would soon be challenged and rearticulated by disability rights advocates.² These changes in culture were exemplified throughout the next three decades as law makers sought to keep pace with the shifting social landscape. The Reform Era would bring with it a new commitment to establishing equal access to state institutions. Accordingly, recognition that programs for people with disabilities would require special funding emerged. While many changes in disability law and practice would occur during these years, perhaps the most salient were those concerning public education.

As this chapter will detail, the federal government's slow but steady movement toward bringing children with disabilities into the fold of mainstream education highlights a significant cultural shift in thinking about physical difference. From the court decisions in *Brown v Board of Education* (1954), *Hobson v Hansen* (1967), *Pennsylvania Association for Retarded Children v Commonwealth* (1971), and *Mills v Board of Education* (1972) to the adoption of the Elementary and Secondary Education Act (1965) and the enactment of the Education for All Handicapped Children Act (signed in 1975, later reauthorized in 1990 as the Individuals with Disabilities Education (IDEA) Act), American law began gradual steps toward recognizing people with disabilities as full-fledged members of society.

While these departures from old-world practices were monumental and laudable given the practices of the state just forty years prior, they did not serve as a salve to the broader rhetorical exclusion of people with disabilities from the category of good citizen. John F. Kennedy did make history as the first president to address Congress on the issue of mental disabilities,³ in so doing providing a rhetorical launch pad for disability reform legislation in the following years. However, Kennedy's writings, speeches, and televised address on physical fitness as a barometer of citizenship underscore a troubling pattern in his discursive remaking of disability. In particular, his 1960 article in *Sports Illustrated*, "The Soft American," his 1961 "Remarks on the Youth Fitness Program" and his widely viewed 1962 Public Service Announcement on physical fitness in public schools each underscore the notion that public attitudes valorizing perfect bodies and degrading imperfect ones remained intact and solidified by the power of the presidential pulpit.

The Courts Set New Precedents for Students with Disabilities

Most scholars of history, law, and government know *Brown v Board of Education* as the landmark decision repudiating *Plessy v Ferguson*, the 1896 ruling that, among other issues, established the constitutionality of segregating school children based on race, relying on the doctrine of “separate but equal.”⁴ However, Martha Minow and others rightly contend that *Brown* provided the very foundation for legislation that would guarantee students with disabilities a place among their mainstream peers in public schools.⁵ By providing “the template for demanding both equal opportunity and integration” for children with disabilities,⁶ *Brown* served as the pivotal springboard for disability rights legislation that came to pass in the following decades. Of the decision’s importance, Chief Justice Earl Warren wrote the following:

Today, education is perhaps the most important function of state and local governments...it is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later profession training, and in helping him adjust normally to his environment. In these days it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available for all on equal terms.⁷

Indeed, what *Brown* accomplished, in part, was the legal recognition that all students, regardless of physical difference, be treated equitably to any good citizen of the nation.

Interestingly, the logic relied upon in the decision has come under attack since the law’s passage. As David Droge explains, the rationale for the repudiation of *Plessy*’s “separate but equal” doctrine followed from the court’s citation of seven social science articles that attempted to prove harm would be done to children who were segregated forcibly.⁸ Critics point out that such reasoning need not have been produced, as the self-evidence of *Plessy*’s wrongdoing was manifest.⁹ Still, others submitted that the studies

relied on bad science. One detractor noted that there existed no empirical evidence to suggest that segregation produced harmful effects on school children.¹⁰ Others argued that the decision was a usurpation of Congress's role in law making and thus should be met with suspicion.¹¹ Of these critiques, Droge contends that expediency was the goal in obtaining unanimity in the decision,¹² a task that was seen as essential to establishing the gravity and legitimacy of the new law, particularly when President Eisenhower remained publicly noncommittal to the project of school desegregation.¹³ Indeed, establishing the reasoning for the decision on factors external to the use of the equal protection clause of the Fourteenth Amendment caused concern for integration advocates, who argued that the post-war amendment already provided clear instruction to those questioning the constitutionality of desegregation. As debates arose in the following years about the legal grounding of the decision, the consequence of its implementation remained unchanged: federally sanctioned school segregation would stand no more. Both students of color and students with disabilities (and their cross-sections) would feel the impact of the decision for decades to come.

Of equal note to the discussion of *Brown*'s salience for disability law is the observation that categorizations of disability during this era (and in our own) were often tied intimately to categorizations of race. Research has determined that before, during, and after the time of *Brown*'s adoption, black students were and are significantly more likely to be placed in special education classrooms than their white peers.¹⁴ Unsurprisingly, prejudice was the locus of this finding, as "cultural preference for particular modes of communication" was provided as one explanation for the disproportionate representation of students of color in these classrooms.¹⁵ A federal court

attempted to address this issue in *Hobson v Hansen*, the 1967 case that determined tracking students by their ability level as a means to separate students was another instantiation of racial segregation at work. The court's finding, however, did little to halt the practice of identifying significant numbers of black students as possessing a disability. Anne Smith and Elizabeth B. Kozleski observe that today black students are still "more than two and half times as likely as their white peers to be identified for special education services for mental retardation."¹⁶ While some researchers contend that the intersection of race and poverty serves as the explanation for this practice—a contention offered early on by Kennedy in his address to Congress on the subject—Minow reminds us that black students are not overrepresented in special education classrooms on the basis of physical disability, including conditions like "hearing impairments, visual impairments, or other medically based conditions."¹⁷ Instead, black students are more likely to be categorized as having a mental defect or an emotional disturbance than are their white peers.¹⁸ Such pronouncements point to the ever-present problem of institutional bias and racial stereotype in determining the amorphous category of disability.

While issues of disability and race continued to play out in the federal courts, families of people with disabilities worked to articulate their understanding of their loved ones' needs in the public school system. The creation of the National Association for Retarded Citizens (NARC) in 1950 led to the adoption of several platforms calling for better treatment of students with disabilities. Renamed the National Association for Retarded Children in 1953, the organization used legal means to achieve their goals.¹⁹ Most noteworthy was the Pennsylvania Association for Retarded Children's lawsuit

against the state in 1971. *PARC v The Commonwealth of Pennsylvania* extended the arguments used in *Brown* to contend that students with disabilities should be guaranteed the same educational opportunities as their non-disability status peers.²⁰ To support their argument, PARC asserted four points: first, that students with disabilities do derive benefits from public education; second, that the learning of occupational skills like clothing and feeding oneself should not be undervalued; third, that the state has an obligation to provide education to children with disabilities because it has undertaken to provide public education to all Pennsylvania children; and fourth, that early learning among students with disabilities could predict favorable outcomes.²¹ In agreement with these assertions, the court concluded that students aged six through twenty-one should be provided a free public education in accordance with their peers.²²

Shortly after the PARC decision was rendered, *Mills v Board of Education* was brought before a D.C. court to charge that seven students with disabilities, certified as a class and thus representing eighteen thousand families, had been deprived of their guaranteed access to public education without due process.²³ Not only did the court require that the children be admitted to school, but it also established “due process safeguards” for students with disabilities.²⁴ Among those safeguards were “the right to a hearing with representation, a record, and an impartial hearing officer; the right to appeal; the right to have access to records; and the requirement of written notice at all stages of the process.”²⁵ Accountability and accuracy, then, became a central tenet in the identification and categorization of a student with a suspected disability.

Congressional Movement Toward Equality: ESEA and EAHCA

While the judiciary played a vital role in the extension of rights to students with disabilities, the Executive and Legislative branches enacted their own measures to address the concerns of families with children underserved by the public education system. The first of those measures was put forth by President Eisenhower.

The beginnings of strong federal government involvement in public education emerged in 1958 with the passage of the National Defense and Education Act (NDEA).²⁶ While the NDEA was designed as a measure to keep pace with the Soviet Union on student training in mathematics and science, the act also ushered in a new era of federal interest in public education that set the stage for the disability-specific laws that would define lobbying efforts of the latter part of the century. Shortly after signing the NDEA, Eisenhower authorized Public Law 85-926, which extended financial support to institutions of higher learning to train teachers to assist students with mental disabilities.²⁷ Eisenhower directed the Commissioner of Education to extend funds as grants or reimbursements to the amount of one million dollars per year,²⁸ the modern equivalent of 8.4 million dollars. The significance of this step cannot be understated, as it paved the way for the Elementary and Secondary Education Act (ESEA) just a few years later.

Designed to combat poverty and educational inequality, the ESEA was tied to President Johnson's War on Poverty programs by directing that federal dollars spent on education be targeted to the specific needs of the district.²⁹ In the months following the act's adoption, Senator Robert Kennedy offered an amendment to the law that would designate a distinct financial package to assist students with disabilities.³⁰ With the support of NARC, the Council for Exceptional Children (CEC), and the American

Council for the Blind, the amendment, PL 89-313, was adopted.³¹ Robert Gettings explains the salience of PL 89-313 as he observes that its enactment “became available at a critical juncture in the development of community services for children with disabilities,” because it “made available to states a reliable funding stream to support education services” for children with disabilities.³² Indeed, for the first time, students with special learning needs would have increased access to public school support structures backed by federal money. The importance of the change was hailed on the Senate floor when David Ray Jr. of Tennessee explained to listeners that the amendment would allow children previously confined to their homes or to institutions to enjoy the educational opportunities extended to all American students—quite the achievement indeed.³³

A series of further amendments to ESEA would prove critical in continuing to define the federal government’s relationship to support of the education of students with disabilities. PL 90-247 required HEW’s Office of Education to rely on state or national spending per student in elementary schools to determine the amount of money allocated to state agencies under Title 1 of ESEA.³⁴ Accordingly, PL 93-380 specified that state agencies were allowed to count students with disabilities even after “responsibility for the child’s education was transferred from a state-operated or supported school to a local public school district.”³⁵ The intent of PL 93-380 was to discourage students with special learning needs from not integrating into the mainstream, given that the financial assistance under the amendment was significantly greater than what was provided under Title VI of ESEA.³⁶ While these changes made notable headway in securing federal commitment to monetary support of the education of special needs students, activists

soon realized that lawmakers general interest in ESEA was to address the needs of students in poverty.³⁷ Next time, disability rights advocates would need to craft legislation that was, from its inception, a document to protect and guarantee the right to public education by students with disabilities—that law would come to be known as the Education for All Handicapped Children Act (EAHCA).

In the fall of 1975, Congress agreed upon and submitted the EAHCA to President Ford. Among its provisions, the act called for specific funding of targeted special education programs. Each state would be required to submit an education plan for students with disabilities to the Bureau of Education for the Handicapped. Provided that the bureau signed off on the state’s proposal, the federal government would then guarantee funding to the state to be used in implementation of the plan.³⁸ In addition to the funding procedures to secure services for students with disabilities, the law enumerated the specific rights to which each child would be entitled, detailed as follows: “non-discriminatory testing, evaluation and placement procedures; [the right to be] educated in the least restrictive environment; procedural due process, including parent involvement; a free education; and an appropriate education.”³⁹ The act also established the use of Individual Education Programs (IEP), a document to be formulated by teachers and parents that enumerates objectives for the student.⁴⁰

Unsurprisingly, the ambiguity of some of these tenets created room for debate among concerned advocates. As Stephen Mansfield explains, school districts’ individual interpretations of what constitutes an “appropriate education” for a student with a disability resulted in legal proceedings to determine the extent of a school’s obligation to a special needs child.⁴¹ In Pennsylvania, for example, a class action lawsuit was brought

against the state’s Department for Education regarding its “180-day rule policy,” which held that the state would not authorize educational programs in excess of one hundred and eighty days due to the cost of such practices.⁴² Understandably, this policy caused issues for students with disabilities, who often require year-long instruction in order to avoid losing skill sets they have worked hard to build. The question before the court, then, was to determine the role of the state in providing an “appropriate education” to the student, even when that provision proves to be rather costly. The finding was clear: denial of educational services past a period of one hundred and eighty days did cause significant damage to students’ skills retention and growth.⁴³ States would have to find ways to provide equal opportunity educational programs to children with disabilities, even when costs were not equal.

Another cause of contention emerged in the use of IEPs, the individualized education program documents called for by the EAHCA. While educational policy experts articulate the need for accountability in constructing educational plans for special student populations, the accompanying restrictiveness of such efforts has also come under attack. In particular, some experts have expressed concern that IEPs encourage adherence to narrowly targeted, pre-determined goals, an issue that could dissuade teachers from adjusting their pedagogical practices to the dynamic progress of the student.⁴⁴ Equally problematic can be the length and complexity of these documents—often appearing in the thirty page range—that are supposed to contain all relevant information to the particular needs of the student. Sometimes teachers do not take the time to consult the details of the document (even when they were present at the official IEP meeting), and other teachers who have day-to-day interactions with the student, like lunchroom or recess monitors,

may not be aware of the vital information the plan contains.⁴⁵ Indeed, while the goal of providing each student with a specific plan to meet their needs was a laudable aim of the EAHCA, the implementation and results of the legislation have proven troublesome for many concerned parents and advocates. Perhaps more troublesome than the text of the legal and legislative decisions regarding students with disabilities was the president's discursive patterns on the topic. As the following section will detail, Kennedy articulated a commitment to bettering the treatment of young people with disabilities. That treatment, however, would presume the inherent inferiority and pathology of physical difference, and would form a rhetorical image of the imperfect body as the antithesis of a good American child.

Kennedy and the Physically Fit Citizenry: Education as Path to Patriotism

As John Murphy rightly notes, the rhetorical situation that Kennedy occupied in his 1960 bid for the presidency was a unique one indeed. An ailing economy coupled with the looming specter of the Soviet Union's various technological and education achievements made for an opportune moment in Kennedy's executive ambitions.⁴⁶ On these fronts, the United States feared falling behind its chief rival. While the public may have viewed progress as slow and steady under the Eisenhower administration, people were hungry for measurable advancement that would solidify the United States' place on the international stage following WWII. In keeping with this notion, Murphy reminds us that "the nation—through a series of educational and development acts—committed itself to work yet harder."⁴⁷ Kennedy seized on this moment by positioning himself as the candidate who would ensure that America lived up to her potential. Murphy writes: "On every subject, he promised greater challenges, higher achievements, more of

everything.”⁴⁸ While this was certainly true of policy issues ranging from economic to foreign, it was also true of Kennedy’s plan for the encouragement of physically fit youth. Specifically, I argue that Kennedy constructed a rhetoric of good-citizen-as-fit-citizen through his pathologizing of children with mental disabilities and his concurrent heralding of youth fitness programs in public schools. In particular, his 1963 “Message to Congress on Mental Illness and Mental Retardation,” his 1960 article in *Sports Illustrated*, “The Soft American,” his 1961 “Remarks on the Youth Fitness Program,” and his widely viewed 1962 Public Service Announcement on physical fitness in public schools collectively built the rhetorical edifice that supported a rhetoric of physical achievement as the paragon for ideal citizenship.

Message to Congress on Mental Illness

Kennedy’s decision to address Congress on mental disability and social reform was a singular one.⁴⁹ As the first sitting president to shine a light on the needs of this special population, his address would carry significant weight in outlining what the national response would be to the challenges faced by some members of the disability community. While his efforts would be noticed and applauded by some advocates who had been struggling in the shadows, those efforts would still fall dramatically short of constructing the disability population as equal citizens in a pluralist society. Indeed, Kennedy’s choice to represent people with mental disabilities as sufferers of diseases that should be eradicated highlights the narrow vision he articulated for disability in society.

Delivered on February 3, 1963, Kennedy’s “Special Message to the Congress on Mental Illness and Mental Retardation” relied upon appeals to pathology and sickness to construct mental illness as a symptom of a sick polity. Disability as pathology, according

to Jay Timothy Dolmage, occurs when mental or physical difference is presented under the discursive confines of the medical model (see discussion of the medical model in chapter 2), where “abnormal bodies undergo a rhetorical accretion toward synecdoche, and an abnormal body becomes the sum of its dysfunctional parts.”⁵⁰ This practice of viewing a disability status individual as a damaged person in need of a “kill-or-cure”⁵¹ solution allows for physical difference to be constructed as antithetical to the qualities of good citizenship.

Kennedy strikes the tone for the issue to be discussed at the beginning of the speech when he says “two health problems—because they are of such critical size and tragic impact...are deserving of a wholly new national approach...these twin problems are mental illness and mental retardation.”⁵² The term “problems” serves as the identifying theme for Kennedy’s conception of mental difference. Kennedy asks his audience to view people with mental disabilities and the challenges they surmount as problems that the nation must fix in order to feel that duty to a supposedly weak citizenry has been fulfilled gallantly. The task before good Americans, he implies, will be to destroy the causes of mental illness in the same manner and with the same forcefulness that the national attacked infectious diseases,⁵³ like polio. Mental illness, he asserts, is an even greater problem to tackle than general infections because it occurs “more frequently, affect[s] more people, require[s] more prolonged treatment, cause[s] more suffering...waste[s] more of our human resources, and constitute[s] more of a financial drain ...than any other single condition.”⁵⁴ To address the issue, Kennedy girds the nation for a fight: “We must strengthen the underlying resources of knowledge, and, above all, of skilled manpower which are necessary to mount and sustain our attack on mental

disability for many years to come.”⁵⁵ Indeed, Kennedy asserts that seeking out “the causes of mental illness and of mental retardation” to “eradicate” them is the sensible solution to the woes of the disability community.⁵⁶

In addition to the pathology-based rhetoric Kennedy invokes to describe people with disabilities, he relies upon appeals to paternalism. In so doing, he ascribes little agency to people with mental disabilities, constructing them as wards who should be cared for and pitied, rather than as full citizens. He says “this situation has been tolerated far too long. It has troubled our national conscience—but only as a problem unpleasant to mention, easy to postpone, and despairing of solution.” Indeed, Kennedy’s construction of disability would have one think that the uncomfortableness of the issue is felt primarily by outsiders who suffer the awkwardness of having to share the world with people whom they perceive as off-kilter. The people doing the “tolerating” of the situation are those who are made to feel uneasy by it, rather than those who actually suffer from the medical and social setbacks that disability often imposes. The greatest concern reflected in the text is that the “national conscience” has been “troubled” by the maltreatment of people with disabilities, almost as if to say that the lived sufferings of disability are of less import than the social sufferings of bystanders. That the problem of disability is “easy to postpone” underscores that Kennedy conceives of his audience as people who do not come into daily contact with physical difference. Indeed, maltreatment of the disability community may be simple to ignore if one does not experience environmental discrimination each day. Nevertheless, it is the non-disability status population that Kennedy targets in his call to action.

Questions of agency are explored as Kennedy articulates precisely who is responsible for the welfare of the disability community. He says that “governments at every level...private foundations and individual citizens must all face up to their responsibilities in this area.”⁵⁷ Neither disability advocates nor members of the disability community are invoked specifically in this call. Instead, it is the job of the good individual citizen and strong national government to address the needs of the population. While the need for outside actors to improve the living conditions of people with mental disabilities is apparent, the ignoring of people with disabilities in this invocation reifies the subaltern status of disability in Kennedy’s America. As such, people with physical differences are constructed as the object to be acted upon by the federal government and concerned citizens. Unfit to determine their own destinies, people with disabilities are expected to fulfil the role of passive bystander in discussions of their own lives.

The object status of people with disabilities is again evinced when Kennedy suggests that disability entails a lack of usefulness in the community: “This approach...make[s] it possible for most of the mentally ill to be successfully and quickly treated in their own communities and returned to a useful place in society.” Here, the contention is that disability has plucked a person from her proper place in the social sphere and has hindered her from performing the duties necessary to be considered a full citizen. The assumption, then, is that the problem lies in the individual, not in the architectural or social barriers that inhibit the individual’s growth and success. Kennedy’s proposal for more research into physical illness and better treatment of people confined to institutions should then be considered in light of the idea that each citizen has a duty to remain useful to her community, a subjective category determined by one’s capacity to

contribute to the capitalist system. If the audience chooses to get on board with Kennedy's proposals, he promises that "all but a small portion of the mentally ill can eventually achieve a wholesome and constructive social adjustment."⁵⁸ To that "small portion" of disability status individuals who cannot achieve the revered status of "usefulness," life in the shadows remains a certainty.

While the pathologizing of mental illness and the retraction of agency work in tandem to relegate disability to a subaltern social position, Kennedy's discussion of children with disabilities and their interactions with public education work to conflate issues of poverty and physical difference, suggesting that a salve to one will serve as a salve to the other.

In articulating his national program to address the plights suffered by children with mental disabilities, Kennedy determines that prevention of the "problem" is the most important step in eradicating the scourge of mental illness. In his estimation, prevention lies in treating the cause of the issue. He locates the cause in the existence of poverty:

Socioeconomic and medical evidence gathered by a panel which I appointed in 1961...shows a major causative role for adverse social, economic, and cultural factors. Families who are deprived of the basic necessities of life, opportunity, and motivation have a high proportion of the nation's retarded children.⁵⁹

In keeping with twentieth-century Democratic party ideology, the solution to the problem is found in creating social programs for members of the afflicted population. Specifically, Kennedy calls for ten percent of federal dollars allocated in the ESEA to be used in "special project grants" to improve public education in "slum and distressed areas."⁶⁰

While Kennedy calls also for an increase in teachers who are trained in special education techniques,⁶¹ the primary focus of his initiative lies in addressing poverty as the fundamental predictor of mental difference in children.⁶² Efforts to address the mal-

effects of poverty are laudable; however, the contention that poverty prevention will magically erase the existence of architectural and social discrimination underscores the confines of Kennedy's vision.

The shortcomings in these rhetorical approaches to disability are apparent. The pathologizing of mental difference, the objectification of individuals with disabilities, and the conflation of mental disability with poverty each carry with them concerning limitations in thinking about citizenship vis a vis the discursive construction of bodily difference. In each case, Kennedy's oratory shows mental difference to be a defect not just of body, but of national character. Just as poverty must be destroyed to make the nation great, so must all instances of mental illness be eradicated.

Kennedy's talk of mental disability becomes more salient when positioned next to his long-standing rhetoric of physical fitness in public schools. Taken together, both discursive motifs delineate sets of specific characteristics that are offered as givens to ideal citizenship. Kennedy begins his public exploration of these ideas in 1960, when he pens an article for *Sports Illustrated*.

"The Soft American:" Physical Difference as Threat to Freedom

The theme of Kennedy's essay appeals to an age-old shared understanding that the defense of freedom and a healthy democracy comes from a citizenry's capacity to perform at high physical standards. To explain this point, Kennedy takes his readers on a trip to Ancient Greece. Citing the Olympic games, Kennedy constructs an image of classical athletes as the prime illustrations of a well-functioning civilization. Not just heroes to the average onlooker, Olympic athletes allowed Greece to construct the very "foundations of a vigorous state."⁶³ This appeal takes advantage of traditional Western

conceptions of disability, where literary figures are praised for their ability to conquer physical challenges.⁶⁴ Kennedy argues for the connection of physical achievement to state success when he writes: “the same civilizations which produced some of our highest achievements of philosophy and drama, government and art, also gave us belief in the importance of physical soundness which has become part of the Western tradition.”⁶⁵ To have a country that performs well in all areas domestic and foreign, a nation requires physically strong citizens.

After establishing the need for physical achievement, Kennedy proffers a warning that America is “in danger of forgetting” these time-tested truths. Indeed, the warning signs of civic decline, for Kennedy, are unambiguous. Citing studies that compare physical fitness of Americans to physical fitness of Europeans, Kennedy laments that American youth are “far behind” their European counterparts in muscular strength and flexibility.⁶⁶ American children continue to fail tests of physical endurance at “an alarming” rate.⁶⁷ The “harsh fact of the matter,” he says, is that too many young Americans are “neglecting their bodies.” In other words, they are “getting soft.”⁶⁸ Here, the premise for Kennedy’s argument is set: If the country wishes to continue to experience political and social success, she must re-commit herself to the values of physical accomplishment.

Liberty as the foundation of Western democracy is invoked as Kennedy asserts that allowing children to become “soft” will “destroy much of our ability to meet the great and vital challenges which confront our people.”⁶⁹ The maintenance of freedom requires both “stamina and strength,” both of which may now be in short supply.⁷⁰ As evidence for his claim, Kennedy asks readers to take “a single look at the packed parking

lot of the average high school” which will “tell us what has happened to the traditional hike to school that helped build young bodies.”⁷¹ The intermingling of modern technology and the economy’s increased reliance on desk jobs work together to constitute the basis of the problem. The best method of addressing the issue, Kennedy suggests, is to allow the federal government to tackle physical fitness in the public school systems. By making youth fitness a “direct responsibility of the Department of Health, Education, and Welfare” the government should be able to help schools create fitness programs that address the perceived deficiencies in performance.

Perhaps more importantly, though, is his final point that rhetorical leadership from the president is key to sustaining the kind of initiatives that would assist in molding a physically fit youth population. On the need for such leadership Kennedy writes, “the President and all departments of government must make it clearly understood that the promotion of sports participation and physical fitness is a basic and continuing policy of the United States.”⁷² The executive branch calls for policy measures on issues of national importance. To categorize issues of physical fitness as “basic and continuing” federal policy is to elevate the importance of such measures to be on par with major state issues, like the economy or healthcare. Indeed, what is most striking about Kennedy’s article is his discursive commitment to delineating not just the importance of fitness for daily life, but the necessity of fitness for the health of the republic. That importance is reified in his choice to link the weight of the presidency with policy initiatives on school physical education programs. Kennedy’s pledge to better the bodies of America’s youth would be carried out through his three years in office, particularly as he argued for the adoption of programs like the one enacted at La Sierra High School.

High School PE: The La Sierra Model, Kennedy's Remarks on the Youth Fitness Program, and One Very Important PSA

La Sierra High School, a public secondary institution that operated in Carmichael, California from 1957 to 1983, would become a famous location in the early 1960s as President Kennedy sought to encourage more rigorous physical education courses across the country. *Look* magazine's January 1962 spotlight, "How America can Get Physically Tough," showcased the system that the president believed would be a model for schools nationwide. To say that the La Sierra system was intense would be an understatement of the program's rigor. According to the spotlight, La Sierra required its nine hundred male students to take part in physical training that surpassed the entrance requirements of the United States Naval Academy.⁷³

The program worked on a color-coded system where each student was evaluated at the beginning of the academic year. Beginners ("whites") were prompted to complete daily bouts of vigorous exercise, allowing them to move up the "ranks" to higher color orders, with "gold" being the shining standard.⁷⁴ A program spokesperson boasted to the magazine that many college athletes could not measure up to the students in the "blue" tier of the program (a mid-level rank), saying that "boys like to be challenged to do hard things, as long as you are fair with them. It's an aggressive approach to education, based on pride."⁷⁵ Pride, indeed, was a motivating factor for the La Sierra boys, as the magazine noted that the female students "admire the boys for their achievements and sometimes try to emulate them in the easier tests."⁷⁶

Most important of all, though, was the contention that the program "not only builds physical fitness, but produces good Americans."⁷⁷ Citizenship, first and foremost, was the reason given for encouraging young students to achieve the highest level of

physical accomplishment. Kennedy articulated this link between ideal citizenship and the necessity of bodily mastery both in his “Remarks on the Youth Fitness Program” to Congress and in his Public Service Announcement on PE in public schools.

Remarks on the Youth Fitness Program

Kennedy argues that the strength of the United States republic is a direct result of the physical achievement of its citizens. He says “the vigor of our country, its physical vigor and energy, is going to be no more advanced, no more substantial, than the vitality and will of our countrymen.”⁷⁸ He refers again to the notion that children in other countries “have moved ahead” in their ability to “endure long physical hardship,”⁷⁹ arguing that it is the responsibility of the nation to ensure that its citizens recommit themselves to physical fitness. Kennedy calls for “school administrators,” “school committees,” and “the national government” to do what it takes to strengthen PE programs for youth.⁸⁰ Specifically, he outlines the provisions of the La Sierra program (though he doesn’t refer to it by name), as he calls for school fitness programs to identify “underdeveloped” pupils and to work with them daily to increase their physical fitness.⁸¹ He calls for the use of “valid fitness tests” to determine student progress.⁸² The only departure from the La Sierra program is in Kennedy’s stipulation that it be made a requirement for both boys and girls, though he doesn’t explain what those differences might entail. He concludes by again linking the physical with the civic, saying that “the strengthening of our country” depends absolutely on the physical well-being of its young boys and girls.⁸³ Kennedy offers a similar vision in his Public Service Announcement on Physical Fitness, a televised address that reached millions.

Public Service Announcement on Physical Fitness

Bob Hope introduces Kennedy's PSA, noting that "President John F. Kennedy has a personal message for all of us on this important subject."⁸⁴ Kennedy's voice then overlays a series of montages that show high school age boys and girls engaged in callisthenic exercises, as well as scenes that show young men working on military-style physical training. He puts the subject matter of the announcement plainly when he proclaims that "a country is as strong, really, as its citizens."⁸⁵ Adopting the tone of a concerned parent, Kennedy says that "I hope that we will not find a day in the United States when all of us are spectators, except for a few who are out on the field. I hope all Americans will be on the field."⁸⁶ He refers to the La Sierra system, where he notes that schools that have adopted such programs have succeeded in "chang[ing] the physical habits and strength of our children," adding that he hopes the program will "spread to every school district in the United States."⁸⁷ Calling for a "great national effort to build a strong and better America," Kennedy asks the audience to support physical fitness initiatives in public schools so that citizens may lead better lives.⁸⁸

Conclusion: Where Fitness as Citizenship Leaves People with Disabilities

Kennedy's simultaneous pathologizing of mental illness and heralding of strenuous youth fitness programs collectively constructs a unique rhetorical situation where Americans are asked to consider ideal citizenship in the context of disability. First, I want to be clear that in no way do I argue that national efforts calling for increased physical fitness are always already exclusive of people with disabilities. Indeed, experts familiar with physical education for students with disabilities readily articulate that

physical exertion is needed for all student populations to maintain a healthy lifestyle.⁸⁹ However, what a focus on high strain exercise programs accomplishes is a rhetorical narrowing of the boundaries for proper exertion for young people. The use of the La Sierra program as a model for P.E. across the nation reinscribes a very specific set of physical expectations for students to meet. Indeed, if they do not or cannot meet them, they are constructed as failing Kennedy's challenge to reclaim the mantle of good citizenship that has been upheld by European students. That rhetorical expectation should not be diminished. It is not enough to attempt physical exertion to the best of one's ability. Rather, the president expects that students will make significant progress and reach specific physical goals as outlined by the ranking system in the La Sierra program.

We know that different people have different physical capacities. To prescribe standard levels of achievement for all participants is troubling at best, and detrimental to the less physically inclined at worst. For people with disabilities that prevent them from engaging in rope climbing, running, or sit-ups, the idea that such activities are the very vessel to obtaining proper citizenship is a blow to the self-esteem and to personal morale. A more appropriate model would be to present fitness programs that are inclusive of people of all physical abilities (this, of course, involves making modifications for people with different skill levels). But, as research suggests, such models are hard to obtain. A survey of physical education textbooks used in the United States found that the vast majority of texts do not portray students with disabilities when teaching different exercises.⁹⁰ More importantly, the few books that do include students with disabilities almost always portray them in follower positions, in need of leadership and guidance by an able-bodied student.⁹¹ Such cultural motifs reinscribe the hegemonic oratorical

practices put forth by political leaders who maintain that physical achievement is a prerequisite for ideal citizenship. When mental disability is stigmatized as pathology in need of a cure and physical achievement is heralded as the path to true Americanism, students with disabilities are rhetorically and literally excluded from the mainstream.

Although the goal of *Brown*, *PARC*, *Mills*, the ESEA and the EAHCA was to bring students with disabilities out of the shadows, to make them equal with their able-bodied peers, the rhetoric employed by Kennedy accomplished the exact opposite. These rhetorical shortcomings in the national conversation on disability would be seized upon by disability advocates throughout the late 1970s up through the early 1990s as the disability community mobilized support for broader inclusion in social practices. They would face severe opposition from business owners and members of the Republican Party, but their efforts would not be deterred.

Notes

¹ See the Vocational Rehabilitation Act of 1918 as described in the following website: Colorado State University, Resources for Disabled Students, Disability Awareness: A Brief History of Legislation, 2016. <http://rds.colostate.edu/history-of-legislation>

² Mitchell L. Yell, David Rogers, and Elisabeth Lodge Rogers, "The Legal History of Special Education: What a Long, Strange Trip It's Been!" *Remedial and Special Education* 19 (1998), 220.

³ Robert M. Gettings, *Forging a Federal State Partnership: A History of Federal Development of Disabilities Policy*. (Washington, D.C.: American Association on Intellectual and Developmental Disabilities, 2011), 15.

⁴ Anne Smith and Elizabeth B. Kozleski, "Witnessing Brown: Pursuit of an Equity Agenda in American Education," *Remedial and Special Education* 26 (2005): 271.

⁵ Martha Minow, *In Brown's Wake: Legacies of America's Educational Landmark*. (New York: Oxford University Press, 2010). 80. See also Margaret J. McLaughlin's "Evolving Interpretations of Educational Equity and Students with Disabilities," *Exceptional Children* 76 (2010) and Jodie Schraven and Jennifer L. Jolly's "Section 504 in American Public Schools: An Ongoing Response to Change," *American Educational History* 37 (2010): 424.

⁶ Minow, *In Brown's Wake*, 80.

⁷ *Brown v Board of Education of Topeka*, 347 U.S. 483, at 493 (1954). As cited in Dorinda J. Carter, Stella M. Flores, and Richard J. Reddick's *Legacies of Brown: Multiracial Equity in American Education*. (Cambridge, MA: Harvard Educational Review, 2004), 37.

⁸ David Droge, "From Natural to Cultural Inferiority: The Symbolic Reconstruction of White Supremacy in *Brown v. Board of Education*" in *Brown v. Board of Education at Fifty: A Rhetorical Perspective* ed. Clarke Rountree (Lanham, MD: Lexington Books, 2004), 92-93.

⁹ Droge, "From Natural to Cultural Inferiority," 93.

¹⁰ Droge, "From Natural to Cultural Inferiority," 94.

¹¹ Droge, "From Natural to Cultural Inferiority," 94.

¹² Droge, "From Natural to Cultural Inferiority," 94.

¹³ Ann M. Gill, "The Supreme Court's Rhetoric of Legitimization," in *Brown v. Board of Education at Fifty: A Rhetorical Perspective*, 144-145.

¹⁴ Minow, *In Brown's Wake*, 81. See also Smith and Kozleski, "Witnessing Brown," 275.

¹⁵ Smith and Kozleski, "Witnessing Brown," 275.

¹⁶ Smith and Kozleski, "Witnessing Brown," 275.

¹⁷ Minow, *In Brown's Wake*, 81.

¹⁸ Minow, *In Brown's Wake*, 81.

¹⁹ Smith and Kozleski, "Witnessing Brown," 273.

- ²⁰ Schraven and Jolly, "Section 504 in American Public Schools," 427.
- ²¹ Yell, Rogers, and Rogers, "The Legal History of Special Education," 222-223.
- ²² Yell, Rogers, and Rogers, "The Legal History of Special Education," 222-223.
- ²³ Yell, Rogers, and Rogers, "The Legal History of Special Education," 223.
- ²⁴ Yell, Rogers, and Rogers, "The Legal History of Special Education," 223.
- ²⁵ Yell, Rogers, and Rogers, "The Legal History of Special Education," 223.
- ²⁶ Edwin W. Martin, Reed Martin, and Donna L. Terman, "The Legislative and Litigation History of Special Education." *The Future of Children* 6 (1996): 26.
- ²⁷ Martin et al., "The Legislative and Litigation History of Special Education," 26.
- ²⁸ Public Law 85-926, September 6, 1958.
- ²⁹ Janet Y. Thomas and Kevin P. Brady, "The Elementary and Secondary Education Act at 40: Equity, Accountability, and the Evolving Federal Role in Public Education." *Review of Research in Education* 29 (2005): 52.
- ³⁰ Gettings, *Forging a Federal State Partnership*, 4.
- ³¹ Gettings, *Forging a Federal State Partnership*, 4.
- ³² Gettings, *Forging a Federal State Partnership*, 4.
- ³³ Gettings, *Forging a Federal State Partnership*, 4.
- ³⁴ Gettings, *Forging a Federal State Partnership*, 5.
- ³⁵ Gettings, *Forging a Federal State Partnership*, 5.
- ³⁶ Gettings, *Forging a Federal State Partnership*, 5.
- ³⁷ Gettings, *Forging a Federal State Partnership*, 5.
- ³⁸ Yell et al., "The Legal History of Special Education," 225.
- ³⁹ Yell et al., "The Legal History of Special Education," 225.
- ⁴⁰ Ernest Boyer, "Public Law 94-142: A Promising Start?" *Educational Leadership* 36 (1979): 299.
- ⁴¹ Stephen A. Mansfield, "Defining 'An Appropriate Education' Under the Education for All Handicapped Children Act of 1975," *Maine Law Review* 34 (1982): 79-110.
- ⁴² Mansfield, "Defining 'An Appropriate Education,'" 92.
- ⁴³ Mansfield, "Defining 'An Appropriate Education,'" 93.
- ⁴⁴ Joan F. Goodman and Lori Bond, "The Individualized Education Program: A Retrospective Critique," *The Journal of Special Education* 26 (1993) 08-422.

⁴⁵ Tracy Thompson, "The Special Education Charade: Individualized Education Programs, or IEPs, are One of the Greatest Pitfalls of the Country's School System," *The Atlantic*, January 3, 2016. <https://www.theatlantic.com/education/archive/2016/01/the-charade-of-special-education-programs/421578/>.

⁴⁶ John M. Murphy, "The Language of the Liberal Consensus: John F. Kennedy, Technical Reason, and the "New Economics" at Yale University," *Quarterly Journal of Speech* 90 (2004): 133-162.

⁴⁷ Murphy, "The Language of the Liberal Consensus," 142.

⁴⁸ Murphy, "The Language of the Liberal Consensus," 143.

⁴⁹ Gettings, *Forging a Federal-State Partnership*, 15.

⁵⁰ Jay Timothy Dolmage, *Disability Rhetoric* (Syracuse, NY: Syracuse University Press, 2014), 37.

⁵¹ Dolmage, *Disability Rhetoric*, 39.

⁵² John F. Kennedy, "Special Message to the Congress on Mental Illness and Mental Retardation" (speech, Washington, D.C., February 5, 1963), The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=9546>. 1.

⁵³ John F. Kennedy, "Special Message to Congress," 1.

⁵⁴ John F. Kennedy, "Special Message to Congress," 1.

⁵⁵ John F. Kennedy, "Special Message to Congress," 2.

⁵⁶ John F. Kennedy, "Special Message to Congress," 2.

⁵⁷ John F. Kennedy, "Special Message to Congress," 1.

⁵⁸ John F. Kennedy, "Special Message to Congress," 3.

⁵⁹ John F. Kennedy, "Special Message to Congress," 5.

⁶⁰ John F. Kennedy, "Special Message to Congress," 6.

⁶¹ John F. Kennedy, "Special Message to Congress," 7.

⁶² The connection between poverty and mental disability is well documented by social scientists (See, for example, Richard A. Miech, Avshalom Caspi, Terrie E. Moffitt, Bradley R. Entner Wright, and Phil A. Silva's, "Low Socioeconomic Status and Mental Disorders: A Longitudinal Study of Selection and Causation during Young Adulthood," *American Journal of Sociology* 104 (1999): 1096-1131.) However, these findings are nuanced based upon the condition in question.

⁶³ John F. Kennedy, "The Soft American," *Sports Illustrated*, December 26, 1960. 1.

⁶⁴ Dolmage, *Disability Rhetoric*, 63.

⁶⁵ John F. Kennedy, "The Soft American," 1.

⁶⁶ John F. Kennedy, "The Soft American," 1.

⁶⁷ John F. Kennedy, "The Soft American," 2.

- ⁶⁸ John F. Kennedy, "The Soft American," 2.
- ⁶⁹ John F. Kennedy, "The Soft American," 2.
- ⁷⁰ John F. Kennedy, "The Soft American," 2.
- ⁷¹ John F. Kennedy, "The Soft American," 3.
- ⁷² John F. Kennedy, "The Soft American," 4.
- ⁷³ Stanley Gordon, "How America Can Get Physically Tough," *Look*, January 30, 1962, 49-52.
- ⁷⁴ Gordon, "How America Can Get," 50.
- ⁷⁵ Gordon, "How America Can Get," 50.
- ⁷⁶ Gordon, "How America Can Get," 50.
- ⁷⁷ Gordon, "How America Can Get," 52.
- ⁷⁸ John F. Kennedy, "Remarks on the Youth Fitness Program," (speech, Washington, D.C., July 19, 1961), The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=8248>. 1.
- ⁷⁹ Kennedy, "Remarks on the Youth Fitness Program," 1.
- ⁸⁰ Kennedy, "Remarks on the Youth Fitness Program," 1.
- ⁸¹ Kennedy, "Remarks on the Youth Fitness Program," 1.
- ⁸² Kennedy, "Remarks on the Youth Fitness Program," 1.
- ⁸³ Kennedy, "Remarks on the Youth Fitness Program," 1.
- ⁸⁴ John F. Kennedy, "Remarks on Physical Fitness," (speech, Washington, D.C. March 30, 1962). YouTube, <https://www.youtube.com/watch?v=WUnxrCcQQv0>.
- ⁸⁵ Kennedy, "Remarks on Physical Fitness."
- ⁸⁶ Kennedy, "Remarks on Physical Fitness."
- ⁸⁷ Kennedy, "Remarks on Physical Fitness."
- ⁸⁸ Kennedy, "Remarks on Physical Fitness."
- ⁸⁹ Brent Hardin and Marie Hardin, "Distorted Pictures: Images of Disability in Physical Education Textbooks," *Adapted Physical Activity Quarterly* 21 (2004): 410.
- ⁹⁰ Hardin and Hardin, "Distorted Pictures," 406.
- ⁹¹ Hardin and Hardin, "Distorted Pictures," 407.

CHAPTER FOUR

George H.W. Bush and the Battle for the ADA

The years leading up to George H.W. Bush's election would witness many legal advancements for people with disabilities. As this chapter details, the extension of Section 504 of the 1973 Vocational Rehabilitation Act would provide a modern legal framework for the new civil protections outlined in the Americans with Disabilities Act (ADA). Culturally, many Americans were becoming more accepting of disability than ever before. Legally, though, the fight for equality would be slow and troubled. Skeptics and detractors would offer plenty of opposition to the social progress that disability rights advocates sought. Advocates would meet an unlikely (and sometimes unwilling) partner in President Bush, who attempted to navigate between the needs and interests of the disability community and those of his business constituency.

When a Democratic Congress joined with a Republican president to pass the ADA, many saw the legislation as emblematic of government working together for the good of the people. Reporters referred to the act as the “the world's strongest civil rights protection for the disabled.”¹ Senator Tom Harkin (D-IA), an original sponsor of the bill, claimed that it was “the 20th century Emancipation Proclamation for all persons with disabilities.”² Among many Republicans, support for the final version of the law was equally vigorous. Senator John McCain (R-AZ) proclaimed, “This landmark legislation will mark a new era for the disabled in our Nation.”³ Without question, the ADA made civil rights history when Bush signed it into law on July 26, 1990. Among its

accomplishments, the law provided for non-discrimination policy in employment, public entities, public accommodations, telecommunications, and other miscellaneous provisions. Importantly, it was the first of its kind to extend legal protections against discrimination to employees of private businesses in the United States. For the Bush administration, the goal of the ADA was clear: to bring people with disabilities into the mainstream of society.

For all of its broad support and across-the-aisle coalition building, the ADA did have its detractors outside of Congress. Members of the business community feared that its provisions would be costly and intrusive. Even on the 20th anniversary of the law's passage, some Republican politicians voiced their concerns over the law's efficacy. When Rand Paul was running for the U.S. Senate in 2010, he noted that the ADA was a prime example of government overreach. During an NPR interview, Paul outlined his distaste for the law in front of a national audience:

I think a lot of things could be handled locally. For example, I think that we should try to do everything we can to allow for people with disabilities and handicaps. You know, we do it in our office with wheelchair ramps and things like that. I think if you have a two-story office and you hire someone who's handicapped, it might be reasonable to let him have an office on the first floor rather than the government saying you have to have a \$100,000 elevator. And I think when you get to solutions like that, the more local the better, and the more common sense the decisions are, rather than having a federal government make those decisions.⁴

Paul's fears about the prohibitive cost of the law and the philosophical disillusionment with the idea of "big government" echo early detractors' discomfort with the bill. Small businesses, in particular, lobbied to weaken the law's provisions, perceiving the bill as a formidable obstacle to the entrepreneurial spirit of the nation.

Of interest in this chapter are the ways in which George H.W. Bush's discourse on the passage of the ADA sought to respond to the rhetorical exigence created by conservative business interests that worked to dilute the law. Working within the confines of his position as a Republican leader riding the coattails of the popular Ronald Reagan to the White House, Bush walked a fine line in his support for the legislation. He believed strongly in the act's major provisions and saw the need to end discrimination in the private sector, where people with disabilities found their life choices circumscribed by the lack of existing legal support for employment opportunities. At the same time, the business communities that had worked to put him and his predecessor into office provided a powerful counter-narrative to that of disability advocates. For supporters, the law was a natural step in a progressivist understanding of history that viewed the polity as an ever-expanding, ever-improving national entity. For detractors, the bill did just the opposite. It limited the rights of American entrepreneurs by burdening them with expensive infrastructure changes (as Paul asserted) that could spell disaster for the economy. Between these two extremes, Bush was compelled to maneuver if he hoped to achieve continued political success. After the bill was passed and signed into law, Bush was pressed upon to construct a *post hoc* apologia, a discursive defense of the legislation to which he put his signature. Successful creation of this apologetic form would be central to pleasing the business opposition that worked to defang the law's controversial provisions.

Unlike a plurality of presidential discourse studies that focus on the rhetoric of a president *prior* to a law's enactment, this chapter takes a divergent route to understanding the Bush administration's rhetorical acts in light of the law's passage. I do not contend

that Bush's discourse on the ADA had much to do with striking the congressional compromises that led to the legislation's success. As a survey of the bill's congressional history will attest, the law's triumph can be traced most centrally to the tireless efforts of disability advocates and to the continued political pressure that the Democrats placed on the administration to see the law enacted. Most interestingly, Bush made few public statements on the need for the bill's passage once he assumed the office of the presidency. Those that he did make spoke to the need for equality under the law, invoking a rhetoric of civil rights rather than a rhetoric of business prosperity. However, in the months *following* the law's passage, Bush and members of his administration engaged in a rhetorical *post hoc* apologia for the legislation. Beginning with the president's statement at the signing ceremony of the ADA and ending with his remarks on the one-year anniversary of the bill's passage, I explain how the administration crafted a pro-business discourse that attempted to allay the fears of one their most important constituencies. Following the apologetic typology set out by B.L. Ware and Wil A. Linkugel, I argue that Bush attempted to form a *post hoc* apologia centered on the rhetorical tactics of bolstering and transcendence, which together constitute the justificative mode of apology.⁵ As I will show, these attempts did not succeed because they ignored some of the most salient concerns of the business community. First, though, I turn to the historical underpinnings that brought the ADA to national attention. Beginning in the 1970s, disability advocates and members of Congress would lay the groundwork for the historic legislation that we know today.

The Americans With Disabilities Act: Beginnings

Although the integration of persons with disabilities had been taking place incrementally over the course of the twentieth century, the Architectural Barriers Act of 1968, a law that required all government buildings to become accessible for the people with disabilities,⁶ represented a salient modern push toward comprehensive inclusion. For the first time, places like the Library of Congress would be required to make their facilities more accessible to a man or woman in a wheelchair coming to visit the national landmark. Although this measure functioned as a symbol of solidarity with the disability community, the need for sweeping legislative protections soon became readily apparent. In 1972, Democratic Senator Hubert Humphrey introduced legislation that would include members of the disability community as a protected class under the Civil Rights Act of 1964. Jonathan Young notes that the proposed amendment failed due to a lack of an organized constituency for the law.⁷ The notion that disability rights needed a stronger constituent base was furthered throughout the 1970s, culminating in the mobilization of the disability community to protest for their rights. At the beginning of the decade, advocates for change took part in a march on Washington D.C., and lobbied Congress to include language in the upcoming 1972 Rehabilitation Act legislation to include language for people with disabilities.⁸ These protests were monumental in their symbolic significance with respect to political visibility. As a group that historically had been hidden away from the public eye, the spectacle of disability community members and advocates marching on the capital cast a national light onto the everyday lives of these American citizens.

Their pleas were heard, as members of Congress worked to reimagine the Vocational Rehabilitation Act, which had come up for re-authorization that year. Historically, the act represented President Wilson's attempt to help returning veterans from World War I deal

with the physical tolls visited upon them during battle and to help re-integrate them into civilian life. In 1917, the Vocational Education Act was authorized, in part, to help wounded veterans obtain employment. The following year saw the passage of the Soldier's Rehabilitation Act, which expanded the ability of the Federal Board of Vocational Education to provide services to former soldiers.⁹ Taken together, these bills paved the way for signing of the Vocational Rehabilitation Act (the Smith-Fess Act) in 1920, which created the office of Vocational Rehabilitation.¹⁰ The office provided federal funds to assist states in establishing vocational services for veterans, including employment "guidance, training, occupational adjustment, prosthetics, and placement services."¹¹ Importantly, acceptance of these funds on the state level was optional, and while thirty-six of the then forty-eight states did receive financial assistance in re-integrating veterans into public life, not all states took advantage of this opportunity.¹² As it stood then, assistance for persons with disabilities was strictly limited to those men returning from war, and any help those persons might receive was absolutely contingent upon their state's willingness or interest to cooperate with new federal initiatives. This early legislation was amended several times throughout the 1950s, but the law's upcoming reauthorization in 1972 heralded a moment in civil rights history where all persons with disabilities might hope to enjoy expanded protections under federal law.

Legislators toiled to produce the new Rehabilitation Act, signed into law in September of 1973, which prohibited discrimination on the basis of disability by any entity that received federal funding.¹³ Arlene Mayerson explains the importance of the law and the salience of the section 504 in the following passage:

For the first time, the exclusion and segregation of people with disabilities was viewed as discrimination. Previously, it had been assumed that the problems faced by people with disabilities, such as unemployment and lack of education, were inevitable consequences of the physical or mental limitations imposed by the disability itself. Enactment of Section 504 evidenced Congress' recognition that the inferior social

and economic status of people with disabilities was not a consequence of the disability itself, but instead was a result of societal barriers and prejudices. As with racial minorities and women, Congress recognized that legislation was necessary to eradicate discriminatory policies and practices.¹⁴

Although ultimately successful, it is important to note that the passage of the Rehabilitation Act was met with strong resistance from President Nixon, who vetoed the bill twice. Nixon claimed that the law would stand as yet another unfortunate instance of expanded welfare programs and asserted that it would constitute financial recklessness.¹⁵ Even in this early hour, Republican opposition to the idea of federal protection for the disability community was codified by the Nixon administration's distaste for the bill.

Opposition, it turns out, was probably for the best, as it mobilized the disability community in ways that had been demonstrated with less vigor in the past. As the years pressed on, the Department of Health, Education, and Welfare (HEW), which had been tasked with issuing the specific regulations under section 504 of the act, was lethargic in producing the guidelines that would define how discrimination against persons with disabilities should be determined. In response to this bureaucratic stonewalling, disability rights advocates participated in sit-ins at HEW buildings across the nation. In April of 1977, one San Francisco demonstration included over one-hundred protestors and lasted for twenty-eight days.¹⁶ These demonstrations, combined with letter writing campaigns, lawsuits, and congressional testimonies, resulted in the issuing of the 504 regulations in May of 1977.¹⁷ These regulations would go on to form the foundation for what would become the ADA.

Important as the 504 regulations were to the disability community, they would soon come under attack, again by a Republican president. Upon assuming office, Ronald Reagan created the Task Force on Regulatory Relief, headed by Vice President George H.W. Bush. The goal of the task force was clear: to deregulate any federal measures that were determined to be burdensome to the business community.¹⁸ The 504 regulations quickly came under fire

for their potential to cause financial harm to the nation’s entrepreneurial spirit. Again, the disability community—spearheaded by the newly formed Disability Rights Education and Defense Fund (DREDF)—organized advocates to fight for the preservation of the regulations, and after two years of meetings with the administration and thousands of letters written, the Reagan administration declared that it would cease all attempts to alter the provisions delineated in section 504.¹⁹ Mayerson notes that these years were critical in educating key members of the future Bush administration on the needs and desires of the disability community.²⁰

With one important victory under their belts, disability rights advocates spent the better part of the 1980s fighting legal interpretations of the regulations that attempted to limit severely the scope of the laws. These Supreme Court battles were met with varying degrees of success on the part of disability rights advocates, but overall, DREDF and its partners were effective in moving the disability rights agenda to the fore of the court’s consciousness and in educating them about the lives of its constituents. By 1988, the time had come for the first draft of the ADA to be presented to Congress. In April, Senator Lowell Weicker, a Republican from Connecticut, and Congressman Tony Coelho, a Democrat from California, presented legislation that was drafted by the National Council on Disability to their respective houses.²¹

Passing the ADA: Congressional Agreement, with a Few Compromises Along the Way

When the original bill was brought before the House and the Senate, its provisions and protections for the disability community were quite strong. Divided into nine sections (not Titles, as seen in the final bill), each stipulation provided for a stronger protection than what actually became law two years later.²² One example of the bill’s original strength was found in its definition of “reasonable accommodation,” where no reference was made to the

defense of undue hardship. Moreover, the section dealing with architectural barriers was capacious. In the original wording, no distinctions were delineated between the ages of the structures in question.²³ Thus, an old building would be held to the same standards for accommodation as a new one. Additionally, the enforcement section of the bill was very strong, allowing private citizens to sue for monetary damages.²⁴ These points would create space for debate later in the legislative process. However, for the time being, both parties continued to voice their support for the bill. During the spring of 1988, important Republican politicians ran with the theme of supporting the bill, and doing so only with a few reservations on key points. This refrain was spoken by Senators Robert Dole (R-KS), John McCain (R-AZ), and Donald Riegle (R-MI).²⁵ These remarks continued full-steam ahead in the Senate through the summer. However, as discourse from the upcoming presidential election will attest, the stakes for the bill's passage would take on new urgency going into the fall.

On August 3, 1988, the *LA Times* reported that President Reagan had called Democratic presidential nominee Michael Dukakis an "invalid."²⁶ Although Reagan defended his choice of words as an instance of him "just trying to be funny," the comment enraged the disability advocates community and cast an unflattering light on the administration, to which Bush was of course intimately connected. Eight days later, candidate Bush came out in support of the ADA.²⁷ At the time, Reagan's comment probably got lost to the sea of political swings and attacks that characterize an election season; however, his statement may have spurred one of the most influential moments of Bush's campaign. As documents from the Bush Presidential Library attest, Bush's outspoken support for the ADA may have helped him win the election by garnering an estimated three million votes, many from self-described Democrats. Whatever the case, Congress now found themselves with the support of the president-elect in forging ahead on the legislation. Even though many changes

would be made during the following year, it was clear that the ADA had powerful supporters in every camp of the political process.

In May of 1989, Senator Tom Harkin (D-IA)²⁸ introduced a revised ADA to the Senate and Congressman Coelho introduced a revised version to the House. In it, key changes had been made to clarify the meaning of certain terms and to somewhat restrict the strength of the measures. At this time, Democratic Senators Edward Kennedy (D-MA) and Harkin undertook measures to make the bill more palatable to the opposition, upsetting some disability rights advocates in the process. One such measure was brokered during negotiations with the Bush administration, which had remained loath to voice its support for the current version of the ADA all the way up until May of that year, forcing a pre-planned televised press conference in support of the ADA to be cancelled.²⁹ Negotiations with the administration over the summer months did press on, however, and culminated in a swap of public accommodations language for remedies regulations. Senators Kennedy and Harkin agreed to limit remedies to the standards of the Civil Rights Act of 1964 in exchange for the administration's willingness to support a broader definition of "public accommodations."³⁰ On August 2, 1989, President Bush finally went on record with his support for the newly negotiated version of the ADA.³¹

At the outset, important Republican members of the Senate, including Orrin Hatch (R-UT), expressed their opposition to the bill, perhaps realizing that the new version was very likely to be signed into law given its support by both parties and the administration. However, many of the senators' differences were ironed out by the arrival of the fall. In September, the Senate voted on and passed the bill, with the support of some early detractors, including Senator Hatch. The ADA would go under consideration next in the House in March of 1990.

The House process for passing the bill would prove much lengthier and more arduous³² than its Senate counterpart. After hearings were held on the house floor for and against the bill, the legislation had to move through four different committees before it could be signed into law. During each committee, differences on the legislation had to be ironed out and language had to be tightened continually. All in all, the committee edits created a total of eighty discrepancies between their version and the Senates'.³³ Two issues stand out in the House deliberations and in the final deliberations: the House Judiciary Committee debate over the inclusion of punitive damages and the debate over the proposed Chapman Amendment. Both issues were grounded rhetorically in the need to protect American businesses.

During the final committee phase, the House Judiciary Committee resurrected an old battle that the Bush administration believed had been put to rest: the fight over damages. Bush's proxy in Attorney General Richard Thornburgh had negotiated a deal with the Senate during the previous summer that swapped the inclusion of a broader definition of public accommodations in exchange for the exclusion of additional legal remedies—that is, if a person with disabilities wished to sue an employer for discrimination, that person would be limited to the legal options provided under the original 1964 Civil Rights Act. But the House Judiciary Committee had an alternative avenue in mind. Instead of the pre-approved swap that the administration agreed to, the committee decided to tie available legal options to the new 1990 Civil Rights Act, which had been recently introduced to Congress. Doing so would allow plaintiffs to garner punitive damages. When news of the committee's decision broke, the Bush administration felt deeply betrayed. On March 12, newspaper reports began to speculate that Bush would not sign the bill if the opportunity to gain damages was left intact.³⁴ In spite of their strong opposition to the measure, the administration lost this battle

when the committee sided with the disability rights lobby. This issue would prove salient in future Bush speeches that worked to allay the fears of the business community.

The final issue to be hammered out came in the form of the House-proposed Chapman Amendment, a measure that would allow a business to remove a person afflicted with AIDS from his or her job, if that person was working in a food-handling position. The measure garnered incredible support from both sides of the aisle, but it was opposed vigorously by the disability rights community, who was well aware that no scientific evidence supported the need for such a law to exist. The now-familiar refrain of the opposition was again tied to the well-being of the business community. Some congressmen argued that even though the science did not support the notion that HIV could be transmitted by a food worker, public fear would outweigh medical consensus. Thus, businesses argued that customers would avoid eating at establishments where employees afflicted with AIDS were working. Following such logic, the National Restaurant Association was a notable proponent of the Chapman Amendment.

Despite opposition, the final outcome on the AIDS issue was kind to disability advocates. Although much debate on the measure had pushed the bill's signing back by at least a month, the result was a win for AIDS advocates and the disability community. The ADA, they argued, was designed to protect all persons suffering from disabilities, AIDS included. Advocates held fast to their principles and eventually persuaded key members of the administration, including White House Counsel C. Boyden Gray, that the Chapman Amendment could not stand.³⁵ Members in the House and Senate cast their final votes and agreed to forego the measure. The ADA was finally passed. President Bush would sign the historic legislation into law on July 26, 1990, but the rhetorical battle for the law's legitimacy had only just begun. Bush's task was clear: sell the ADA to his constituency. The bill was now the law of the land, and businesses would have to live with its provisions, whether they

supported them or not. Bush, then, was faced with the responsibility of communicating the bill's importance and desirability to a hostile audience. A brief survey of newspaper op-eds and letters written to the Bush administration from various business interests all demonstrate just how hostile the opposition really was outside of the halls of government.

Hating the ADA: Businesses Make Their Voices Heard

Business community members across the nation wrote scores of op-eds from the fall of 1989 through the summer of 1990, voicing their opposition to the ADA. Several themes stand out among the opposition's disapprobation for the law. Most centrally, the fear of increased, costly litigation stood as the bill's death mark for opponents. Additionally, the high cost of the law's implementation was of major concern for businesses opposing the law. Finally, there were those who, in the line of President Nixon, saw the entire endeavor as a well-orchestrated excuse to allow Congress to spend untold sums of tax-payer money. In this way, the ADA was rhetorically presented as a scam on the American people.

The fear of costly litigation is articulated by many key members of the opposition, chief among them the National Federation of Independent Businesses (NFIB). On September 2, 1989, President and CEO of the NFIB, John Sloan Jr., wrote to the *Washington Post*, expressing his dismay with the publication's support for the law. He contends that the ADA "goes too far" by encouraging plaintiffs to sue for unlimited damages when they "merely suspect" that the business intends to discriminate.³⁶ Sloan's discomfort with the law turns on the potential for a well-meaning small business to be man-handled by a wily person with a disability, who is bent on extorting the honorable employer for every penny he is worth. One can imagine the endless litany of litigation that Sloan fears when he talks of the need to protect businesses, both "large and small," from the onslaught of impending suits. For the NFIB, the problem with the law is its very nature, which he terms "adversarial" rather than

“cooperative.”³⁷ Rather than encouraging the plaintiff to settle his problem with the employer outside the confines of the law, the bill encourages the plaintiff to make use of the legal system to its fullest extent. For this reason specifically, Sloan and the NFIB find the law’s language pernicious.

The NFIB continued to fight the passage of the ADA well into the winter months. In the December issue of *Congressional Digest*, the organization again made its opposition to the bill clear. This time, the attacks were focused specifically on the legislation’s individual Titles, and mostly clearly on Title IV, the Public Accommodations section. Sally Douglas, the Assistant Director of Governmental Relations for Research Policy, writes on behalf of the NFIB, focusing her critiques on the “accommodation” ethic of the bill, and contrasting it with the “acceptance” ethic, which she and the business community find much less onerous than the former.³⁸ In this essay, the central thrust of the NFIB’s argument is that accommodation costs a great deal of money, money that, when exhausted, could prevent a business from existing at all. Discussion of the potential costs concerns most of the op-ed, but the ending theme rings true with previous NFIB arguments: the enforcement mechanisms—the ability for plaintiffs to seek damages—will spell financial ruin for the business community. In addition to the individual financial struggles that businesses will face, Douglas calls attention to the way that increased litigation could negatively affect the court system as a whole. She writes that “inducements for civil litigation will further clog our courts and result in substantial new grey areas of liability for small business owners.”³⁹ Both the legal system on a macro scale and the business system on a micro scale stand to suffer from the passage of the ADA.

The specter of costly legal battles continued to loom in the minds of bill opponents as the months drew closer to the bill’s eventual passage. Another op-ed, this time from the *Wall Street Journal*, was entitled “Toward More Crippling Lawsuits,” speaking directly to the

opposition's worst fear. In it, Christopher Cox calls the ADA's required measures "expensive and expansive in litigation," and warns that the bill will have "enormous consequences."⁴⁰ In late May, the *New York Times* ran a piece called "Critics of Rights Law Fear a Flood of Suits Over Jobs."⁴¹ Here, columnist Steven Holmes observed that business advocates feared the extension of the ability to sue for damages to other special interest groups, including women and unions, thereby extending rhetorically the potential harm that the bill could have across multiple business sectors and contexts. Holmes also noted that the business community was quick to criticize the Bush administration for having "given civil rights and women's groups a wedge on the damages question." Even at this late hour, then, business opposition was strong against the ADA, and their frustration was targeted at the leader who was expected to represent forcefully their interests.

While the NFIB functioned as a powerful conservative lobbying organization, working on behalf of businesses of all kinds—large and small—individual entities also voiced publicly their distrust of the ADA, citing a number of reasons for their outcry. Greyhound Lines, Inc. wrote vigorously in its opposition to the law, which would require expensive changes to be made to the company's large bus fleet.⁴² The National Association of Theater Owners expressed fear of being forced to hire persons who physically were incapable of performing their job duties.⁴³ The Association of Christian Schools International worried that the law would extend to private religious schools, requiring them to spend large sums of money without the financial help of the state.⁴⁴ Even pro-sports teams showed concern over what the ADA would mean for player policy. Because the ADA covered drug use under its definition of "disability," coaches started to wonder if they would be required to allow players suspended for substance abuse back onto the field according to a specific timeline.⁴⁵ In every corner of the private sector, the ADA threatened to upend an organization's day-to-day functioning.

While each of these op-eds speak to the broad dissatisfaction of the business community with the looming passage of the ADA, perhaps no artifacts communicate this constituency's fear of the legislation more eloquently than a series of letters that were sent to the Bush administration on behalf of various business organizations who were gravely concerned about the consequences the ADA could pose for them. The following table provides a list of forty different private business organizations⁴⁶ whose representatives attended the ADA Briefing on Public Accommodations on September 22, 1989, in the Indian Treaty Room of the Eisenhower Executive Office Building in Washington D.C.:

Table 4.1 Businesses Opposing the ADA

Association of General Contractors	Motion Pictures Association of America	Blue Cross and Blue Shield Association	American Recreational Coalition	National Association of Convenience Stores
American Car Rental Association	National Auto Dealers Association	American Occupational Therapy Association	International Chiropractors Association	Kirkland and Ellis
American Mining Congress	National Recreation and Parks Association	National Committee for Adoption	National Retail Hardware Association	International Mass Retail Association
Morrison Knudson Corp.	National Association of Theater Owners	International Council of Shopping Centers	Intelligent Buildings Institute	National Fire Protection Association
Bell South Corporation	American Retail Federation	Travel and Tourism Government Affairs Council	American Hotel and Motel Association	Society for Human Resource Management
American Society of Travel Agents	National Association of Chain Drug Stores	National Retail Merchants Association	Food Service and Lodging Institute	National Association of Manufacturers
American Society of Zoological Parks and Aquariums	American Dental Association	National Restaurant Association	American Bar Association	National Dental Association
American College of Physicians	National Stone Association	National Association of Rehabilitation Facilities	Berman and Co., Incorporated	American Library Association

The memorandum attached to this list of businesses contains a short summary of some of the issues that representatives raised at the Indian Treaty Room meeting. The memo's bullet points outline the following concerns: The National Association of Convenience Stores expressed dismay that the bill contained no set guidelines as to the requirement for shelf height in a store. Theater association representatives offered critique of a provision that required individual retail establishments to outfit elevators in shopping malls. Adoption agencies questioned whether the law would require them to place children in the homes of AIDS-afflicted parents. Zoos and Aquariums expressed concern that service dogs would scare the animals on display.⁴⁷ As the foregoing illustrates, business organizations articulated myriad potential problems with the legislation.

Although the Bush Presidential Library files do not contain objection letters from all of the organizations listed above, many of them are represented in the thick file folder that contains pages upon pages of grievances penned by members the business community. One such letter is addressed to Roger Porter, Director of the Domestic Policy Council, and composed on behalf of the Associated General Contractors of America. In it, the writers detail their fear that the "reasonable accommodations" language will be extended to construction job sites. They argue that it would be impractical to extend accommodations to people with disabilities due to the "ever-changing composition and structure" of the construction work environment.⁴⁸ Another is written to Dick Crawford, Director of Personnel for the National Labor Relations Board, from Bob Harrington on behalf of the National Restaurant Association. Fears of accommodation abound here, too, as the writer cites the possibility of violations of health and safety procedures that restaurants are required to follow. For example, "a disabled employee medically required to use portable oxygen devices would constitute an extreme safety hazard in a kitchen with open-flame cooking equipment."⁴⁹ Additionally, The American Hotel and Motel Association provided a letter to

Johannes Kuttner, Deputy Associate Director of Health and Human Services, that outlines the organization's problems with the bill. One major issue that the organization foresees is the potential problem of the language regarding the scope of the term "full and equal enjoyment," as it applies to the "percentage of guest rooms to be made accessible to individuals with disabilities."⁵⁰ Here, the organization fears the costly expenditure it would require to make a large number of hotel rooms fully accessible to members of the disability community. The Motion Pictures Association of America also weighed in on the potential effects the ADA could have on businesses. In a letter from Frances Seghers to Johannes Kuttner, the organization writes of its concern that the ADA would "interfere with artistic expression" by requiring films to be subtitled for the hearing impaired.⁵¹ Each of these letters represent the time and effort various business organizations expended to ensure that their concerns were known to the president who was supposed to represent vigorously their interests.

These concerns led to the posing of some inevitable questions: Where was President Bush in all of this? How could a conservative Republican support and sign legislation that could irreparably harm American enterprise? Where was the entrepreneurial spirit of Ronald Reagan in this new administration? Such questions implored the president to speak to his constituents. The man who is sometimes described as "a-rhetorical" would have to craft a discourse that reached out to these disaffected citizens. His task was to assure them not only that the ADA would *not* cause harm, but that it could be viewed as a positive resource from which businesses could draw. It is this task that Bush set upon during two speeches that were given after the law had become a national reality. Unfortunately, Bush's success in this endeavor was quite limited, as he failed to address the key concerns of the business constituency.

Speech on the Signing of the ADA

Bush's remarks on the signing of the ADA represent his best effort to communicate solidarity with the business community. His words follow Ware and Linkugel's description of apologetic bolstering and transcendence at work. While his other speeches mention briefly the needs of employers, the speech at the signing ceremony articulates a vision for how business owners ought to view the implementation of the ADA. The following paragraph speaks directly to this point, when Bush says:

This act does something important for American business, though—and remember this: You've called for new sources of workers. Well, many of our fellow citizens with disabilities are unemployed. They want to work, and they can work, and this is a tremendous pool of people. And remember, this is a tremendous pool of people who will bring to jobs diversity, loyalty, proven low turnover rate, and only one request: the chance to prove themselves. And when you add together Federal, State, local, and private funds, it costs almost \$200 billion annually to support Americans with disabilities—in effect, to keep them dependent. Well, when given the opportunity to be independent, they will move proudly into the economic mainstream of American life, and that's what this legislation is all about.⁵²

Bush demonstrates a commitment to the basic goal of American entrepreneurs: to run a successful operation. How may one achieve that goal? The answer is simple: hire new workers. Bush rhetorically positions the ADA as the salve to the stagnating economy and the homogenous pool of labor. By hiring persons with disabilities, businesses are given the opportunity to expand their human talent resources, which will in turn lead to innovation and success. Before the ADA, Bush reminds us, these capable workers had been overlooked.⁵³ Now, the ADA works as a flashlight that shines a beam onto the previously obfuscated worker. Business owners are asked to look upon the subject of that light for the first time, with new eyes and a new vision for what that person may bring to the table. For a president who ostensibly lacked “the vision thing,”⁵⁴ Bush certainly articulated a lucid image of the new worker with disabilities.

This new vision, or new way of viewing the potential contributions of persons with disabilities, can be understood discursively as an attempt to create an apologia geared toward transcendence. In apologetic transcendent rhetoric, Ware and Linkugel tell us that the speaker works to construct a verbal defense of his or her actions that asks the audience to move beyond the particulars of the situation at hand and consider the implications for the bigger, more abstract picture.⁵⁵ Bush works to accomplish this task as he asks members of the business community to focus not on the potential harm the law may create, but on the greater good that will be served for business organizations once the labor pool has been sufficiently broadened to include the capable would-be workers with disabilities. In this way, Bush invites his listeners to transcend the specifics of the law that may appear distasteful, and focus instead on the new laborer landscape that he and his administration have created to bolster the spirit of American entrepreneurship. Here, the particularities of the remedies issue and the accommodations language are foregone in favor of a more abstract, inclusive, transcendent rhetoric that should please all involved.

As persuasive as Bush must have believed this transcendence should be, it clearly lacked the element of addressing the most prevalent concerns of the business community. Recall that this constituency had a host of concerns about this legislation, with two of the most salient being the cost of implementation (due to the accommodations language) and the potential for expensive litigation (due to the remedies measure). To these concerns, Bush's reply leaves much to be desired. He says

I know there have been concerns that the ADA may be vague or costly, or may lead endlessly to litigation. But I want to reassure you right now that my administration and the United States Congress have carefully crafted this Act. We've all been determined to ensure that it gives flexibility, particularly in terms of the timetable of implementation, and we've been committed to containing the costs that may be incurred.⁵⁶

Bush does acknowledge the existence of these two problems. Rhetorically, he begins on the right track. However, his response proves to be empty. First, he notes that he has worked to craft the act carefully, but anyone familiar with the recent legislative proceedings would know that the administration had little to do with the passage of many of the particulars—those changes occurred in committees controlled by Democrats and were debated extensively on the floors of both houses. The most important moment in the White House-Senate deliberations was the compromise over punitive damages, a compromise that was negated later in the committee process. Knowing this, Bush's attempt to take credit for the careful crafting of the law presents itself for unflattering interpretation. Is Bush claiming credit where it is not due? Is he over-stating his role in the creation of this law? Is his seal of approval on the legislation that fell short of his constituents' expectations too strong? This evinces the first problem.

Next, Bush reassures listeners that the law is flexible in how it may be implemented and that costs should be manageable. In terms of the Ware and Linkugel model, this moment should be thought of as Bush's "bolstering" section. He works to identify his concerns with the business community's to show that both share the same values and the same goals. But even though Bush's response speaks to the cost concern, it does so in a narrow and rather ambiguous fashion. Bush provides no examples as to how this containment may work, nor how the timetable options may be enforced. Ironically, Bush falls prey to the same critiques that the business community made of the ADA—he speaks in broad, poorly defined words with little specificity as to how any of the particulars should be worked out. Had Bush followed this statement with an example of how business owners could expect to implement a portion of the law, perhaps his statement would have sounded more convincing. As it stood, however, the lack of specificity and the brevity in his statements only added to the problems he was facing with his business constituency.

The bigger issue with Bush's response to the business community's concerns is certainly the failure to address the damages issue. Though he does mention it at the beginning of this section of the speech, Bush never returns to it. He has stated that the business community is fearful of the proliferation of expensive lawsuits, yet he provides not one solution to this problem. Indeed, Bush's inattention to this major issue rhetorically places him in a politically dangerous position: perceived indifference. Consider that the political opposition—disability advocates and liberal Democrats—touts the damages provision as a win for the broader project of civil rights. Republicans and business advocates see it as a road to extortion. By failing to embrace either side of this rhetorical debate, Bush communicatively lands his position somewhere in the middle. He has not said that the damages provision ruins the bill, as the business community does, but he also has not embraced it, as the disability advocates have. This leaves Bush with one option—to embrace the middle and make it an asset. But he does not accomplish this. Instead, he refers briefly to the problem and never offers a solution. His next major speech on the ADA would prove equally as alienating to members of his constituency, though for different reasons.

Speech On the Anniversary of the Signing

On July 26, 1991, Bush delivered remarks to commemorate the law's signing. In the Rose Garden, in front of two hundred guests, Bush's task, according to his handlers, was to "attempt to put the ADA into a broader context, with a discussion of the spirit that should be behind all civil rights debates."⁵⁷ Indeed, the focus of this speech would be on crafting a link between the ADA's central provisions and the larger project of bolstering America's track record on promoting human rights. The ADA, then, would be positioned rhetorically as a complete success. Importantly, discussion of the law's shortcomings are avoided completely, thus exemplifying the aspects of apologetic "denial" that Ware and Linkugel articulate.⁵⁸

Indeed, Bush stands confidently behind the bill when he says “the ADA works because it embodies what must be at the heart of all civil rights struggles—the spirit of inclusiveness—the devotion to individual rights and equal opportunity.”⁵⁹ The double meaning in the verb “works” bears special note. Bush argues here that the ADA works—it is successful in accomplishing its aims—but it also works in the sense that it puts people to work. The nuance in the second meaning is important, for it sets the ground work for Bush’s upcoming remarks on employment and the business community in the context of the law.

A central part of Bush’s defense of the ADA is the notion that the law puts people with disabilities in a better position to find a job. Referring to this point, Bush notes that “we have demonstrated that social progress includes economic growth—and that both play essential roles in the American dream.”⁶⁰ The focus on economic growth highlights the familiar theme that the ADA is good not only because it furthers the inclusion of diverse peoples in the polity, but because it contributes to a stronger financial base for the country—a base upon which business owners can build.

Bush then addresses this constituency directly, saying “businesses support the ADA because it gives everyone a chance to be productive in the workplace. It broadens our economic mainstream.” Here, the rhetorical tactic centers on acknowledging the important role the business community plays in the implementation and success of the legislation, while simultaneously assigning a value judgment to their group as a whole. Indeed, Bush asserts that businesses are in favor of the law. The claim is interesting, as review of the well-organized business opposition does not support that case. Persuasively, his assertion probably missed the mark. Here, again, Bush is presented with an opportunity to allay the fears of this constituency, but instead of speaking directly to the group’s concerns about cost or implementation hurdles, Bush asserts that all is well. Had he been able to provide an example of a business organization that supported the ADA and publicly used its provisions to the

benefit of the company, perhaps Bush's claim would have been received with more confidence. In much the same way that his original remarks estranged him from the central concerns of the business community, so did his commemorative remarks result in alienation from the base.⁶¹ This rhetorical problem, however, was not the most damaging that the speech would evince.

Bush took the opportunity in the anniversary speech to refer to his nomination of Justice Clarence Thomas to the Supreme Court, which had occurred just four weeks earlier. Ostensibly referring to Thomas' identification as a black man, Bush says that the Justice stands as a prime example of the great leaps and strides that can happen when equality of opportunity is made possible for all citizens. Bush says that the spirit embodied in Thomas "should guide us as we pursue all civil rights legislation." Here, Bush makes the important connection between disability rights as human rights and the nomination of a person of color to the highest court in the land. The tactic works well to highlight the ADA's commitment to equality under the law, but it actually plays into the business community's specific fears about the unintended consequences of the legislation with regard to litigation. As one journalist had noted just a year earlier in his survey of the problems that conservative groups had with the ADA, a concern was that the law would be used by minority groups to advocate for the extension of punitive damages as a remedy for discrimination based on race or sex. When Bush says that Thomas' spirit should guide the American people in their dedication to pursuing *all* civil rights legislation, he introduces the notion that the ADA should work as a legal template for how the United States should protect all minority groups. While Democrats and disability advocates would be thrilled with this implication, the business community would be terrified of the potential legal ramifications that such an extension could have. Thus, even though Bush does not explicitly express support for the punitive damages

measure, he communicatively constructs a scenario in which listeners are encouraged to link extended civil rights with sweeping legal protections.

In a similar vein, the use of a black man as the face of this new era in civil rights might further be troubling for business advocates who worried about the use of quotas in the implementation of the ADA. Although Bush had said previously that he did not support the use of quotas, members of the business community continued to cite it as a potential problem with the legislation. Interestingly, the same critique was made by some reporters who believed that Bush was creating a “minority seat” on the Supreme Court by nominating Thomas for the position.⁶² The choice then to discuss the merits of the ADA in relation to Thomas’ controversial nomination may have come as an unwelcome marriage of topics for business advocates listening to the speech. In sum, the decision to focus on Justice Thomas in the midst of a speech whose topic so crucially concerned the support of the business community did not achieve the anxiety-relieving effect that Bush needed to quell the voices of the business opposition.

Conclusion: Setting the Stage for Future Dissatisfaction

As the legislative history of the ADA attests, the passage of the landmark law came with its fair share of hurdles and strong groups of detractors. For Bush, many of those detractors were vital members of his own party. The communicative task for the forty-first president then was to sway members of the opposition regarding the law’s merits. Although Bush did not need to accomplish this in order for the ADA to become law, he did need to accomplish it to please and preserve a powerful constituency. This task, as I have shown, was certainly clear to Bush, as he attempted a *post hoc* apologia for the bill. However, Bush was unsuccessful in communicating the law’s avoidance of

financial harm to the business community. A series of rhetorical missteps characterized Bush's attempts to allay the fears of business advocates. The results, I believe, were quite damaging. Though Bush lost re-election in 1992 for various reasons, some historians cite the stagnating economy and his eventual raising of taxes (after pledging not to do so) as reasons for his defeat.⁶³ In this context, the unwavering support of the business community would have been critical in helping Bush to secure the presidency for a second time. Failure to attend to the needs articulated by business advocates may well have played a significant role in Bush's waning popularity at the end of his term. As I hope this chapter demonstrates, the importance of responding effectively to an audience's needs remains crucial if a speaker is to expect continued success in the public domain.

Notes

¹ Ann Devroy, "In Emotion-Filled Ceremony, Bush Signs Rights Law For America's Disabled," *Washington Post*, July 27, 1990

² 136 Cong. Rec. S9689. (daily ed. July 13, 1990) Website:
<http://www.usccr.gov/pubs/ada/ch1.htm>

³ 136 Cong. Rec. S9684. (daily ed. July 13, 1990) Website:
<http://www.usccr.gov/pubs/ada/ch1.htm>

⁴ All Things Considered, "Rand Paul Says He Has A Tea Party 'Mandate.'" NPR.org.
<http://www.npr.org/templates/story/story.php?storyId=126985068>. Accessed March 22, 2016.

⁵ B.L. Ware and Wil A. Linkugel. "They Spoke in Defense of Themselves: On the Generic Criticism of Apologia," *Quarterly Journal of Speech* 59 (1973): 273-283.

⁶ Jonathan M. Young, "Equality of Opportunity: The Making of the Americans with Disabilities Act," *The National Council on Disability*, 2010
https://www.ncd.gov/publications/1997/equality_of_Opportunity_The_Making_of_the_Americans_with_Disabilities_Act

⁷ Young, "Equality of Opportunity," 2010

⁸ A Brief History of the Disability Rights Movement, *Anti-Defamation League*, 2005,
http://archive.adl.org/education/curriculum_connections/fall_2005/fall_2005_lesson5_history.html

⁹ Colorado State University, *Resources for Disabled Students*, Disability Awareness: A Brief History of Legislation, 2016. <http://rds.colostate.edu/history-of-legislation>

¹⁰ D Steffen, "How Regulation Came to Be: The Rehabilitation Act of 1973," *Daily Kos*, December 12, 2010, <http://www.dailykos.com/story/2010/12/12/928271/->

¹¹ Colorado State University, *Resources for Disabled Students*, Disability Awareness: A Brief History of Legislation, 2016. <http://rds.colostate.edu/history-of-legislation>

¹² D Steffen, "How Regulation Came to Be: The Rehabilitation Act of 1973," *Daily Kos*, December 12, 2010,

¹³ Rehabilitation Act of 1973, <https://www.disability.gov/rehabilitation-act-1973/>

¹⁴ Arlene Mayerson, *Disability Rights Education and Defense Fund*, "The History of the Americans with Disabilities Act: A Movement Perspective," 1992. <http://dredf.org/news/publications/the-history-of-the-ada/> Accessed May 1, 2016.

¹⁵ Young, "Equality of Opportunity," 2010.

¹⁶ Andrew Grimm, "O Say Can You See? Stories from the National Museum of American History, Sitting-in for Disability Rights: The Section 504 Protests of the 1970s," July 8, 2015,
<http://americanhistory.si.edu/blog/sitting-disability-rights-section-504-protests-1970s>

¹⁷ Mayerson, "The History of Americans with Disabilities."

¹⁸ Mayerson, "The History of Americans with Disabilities."

- ¹⁹ Mayerson, "The History of Americans with Disabilities."
- ²⁰ Mayerson, "The History of Americans with Disabilities."
- ²¹ Mayerson, "The History of Americans with Disabilities."
- ²² Ruth Colker, "The ADA's Journey Through Congress," *Wake Forest Law Review* 39 (2004): 4.
- ²³ Colker, "The ADA's Journey Through Congress," 5.
- ²⁴ Colker, "The ADA's Journey Through Congress," 5.
- ²⁵ Colker, "The ADA's Journey Through Congress," 6.
- ²⁶ "Reagan on Dukakis: 'I Won't Pick on Invalid' : 'Just Trying to Be Funny,' President Later Says of His Answer to Question on Medical Records." *Los Angeles Times*, August 3, 1988. http://articles.latimes.com/1988-08-03/news/mn-6862_1_medical-records.
- ²⁷ Colker, "The ADA's Journey Through Congress," 6
- ²⁸ Senator Weicker had lost his campaign for reelection.
- ²⁹ Young, "Equality of Opportunity," 2010
- ³⁰ Young, "Equality of Opportunity," 2010
- ³¹ Young, "Equality of Opportunity," 2010
- ³² A full exploration of the nine-month process is beyond the scope of this paper.
- ³³ Colker, "The ADA's Journey Through Congress," 16
- ³⁴ Young, "Equality of Opportunity," 2010
- ³⁵ Young, "Equality of Opportunity," 2010
- ³⁶ John Sloan, "What's Wrong with the New Civil Rights Bill," *Washington Post*, September 2, 1989
- ³⁷ Sloan, "What's Wrong,".
- ³⁸ Sally Douglas, "National Federation of Independent Business (CON)," *Congressional Digest*, December 1989. 306-309.
- ³⁹ Douglas, "National Federation of Independent Businesses,".
- ⁴⁰ Christopher Cox, "Toward More Crippling Lawsuits," *Wall Street Journal*, October 13, 1989
- ⁴¹ Steven Holmes, "Critics of Rights Law Fear a Flood of Suits Over Jobs," *New York Times*, May 28, 1990
- ⁴² Grey Hound Lines Inc. (CON), *Congressional Digest*, December 1989. 302-305.

⁴³ Malcom Green, National Association of Theater Owners (CON) *Congressional Digest*, December 1989. 310-312.

⁴⁴ William Bentley Ball, Association of Christian Schools International (CON), *Congressional Digest*, December 1989. 296-297.

⁴⁵ Michael Hiestand, "Sports Business; Legislation on 'Disabled' has Sports Repercussions," *USA Today*, March 22, 1990.

⁴⁶ Handwritten List of Organizations and Representatives to Attend ADA Accommodations Briefing, September 1989 George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.

⁴⁷ Memorandum from Peggy Polk Regarding ADA Briefing on Public Accommodations, to Johannes Kuttner, September 22, 1989, George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.

⁴⁸ Letter from Paul Emerick, Richard Grund, and Thomas Godwin, On behalf of the Associated General Contractors of America, to Roger Porter, August 16, 1989, George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.

⁴⁹ Letter from Bob Harrington, On behalf of the National Restaurant Association, to Dick Crawford, July 19, 1989, George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.

⁵⁰ Letter from Thomas Youngblood, On behalf of the American Hotel and Motel Association, to Johannes Kuttner, Deputy Associate Director of Health and Human Services, August 22, 1989, George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.

⁵¹ Letter from Frances Seghers, On behalf of the Motion Pictures Association of America, to Johannes Kuttner, July 28, 1989, George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.

⁵² George H.W. Bush, "Remarks on the Signing of the ADA," July 26, 1990, White House, Washington, D.C. <http://millercenter.org/president/bush/speeches/speech-3424>. Accessed May 1, 2016.

⁵³ The idea that people with disabilities have been overlooked rhetorically and literally (in the realm of job-seeking and so forth) is the basis for Joseph A. Shapiro's *No Pity: People with Disabilities Forging a New Civil Rights Movement* (New York: Three Rivers Press, 1993).

⁵⁴ Catherine L. Langford, "George Bush's Struggle with the 'vision thing,'" in *The Rhetorical Presidency of George H.W. Bush*. Edited by Martin J. Medhurst (College Station: Texas A&M University Press, 2006). 19-36.

⁵⁵ B.L. Ware and Wil A. Linkugel. "They Spoke in Defense of Themselves: On the Generic Criticism of Apologia," *Quarterly Journal of Speech* 59 (1973): 280.

⁵⁶ Ware and Linkugel, "They Spoke in Defense," 280.

⁵⁷ Memorandum to the President Regarding the Americans with Disabilities Act First Anniversary, from Beth Henchcliffe, July 24, 1991. George H.W. Bush Presidential Records, White House Office of Speechwriting, Speech Files Draft Files, Chron File 1989-1993, Americans with Disabilities Act Ceremony, 7/26/91 OA/ID 13577-001, George Bush Presidential Library, College Station, TX.

⁵⁸ Ware and Linkugel, "They Spoke in Defense," 276.

⁵⁹ George H.W. Bush, "Presidential Remarks: ADA First Anniversary," July 26, 1991, Rose Garden, Washington D.C. George H.W. Bush Presidential Records, White House Office of Speechwriting, Speech Files Draft Files, Chron File 1989-1993, Americans with Disabilities Act Ceremony, 7/26/91 OA/ID 13577-001, George Bush Presidential Library, College Station, TX.

⁶⁰ Bush, "Presidential Remarks: ADA First Anniversary,".

⁶¹ See John Sloan's "What's Wrong with the New Civil Rights Bill," *Washington Post*, September 2, 1989, for example.

⁶² Julia Malone, "Supreme Court Nominee Bush Picks Black Conservative," *Atlanta Journal and Constitution*, July 2, 1991.

⁶³ Wynton C. Hall, "Economically Speaking: George Bush and the Price of Perception," in *The Rhetorical Presidency of George H.W. Bush*, Ed. Martin J. Medhurst (College Station: Texas A&M University Press, 2006). 171-196.

CHAPTER FIVE

The New Millennium: How Far We Have (and Haven't) Come

The passage of the Americans with Disabilities Act (ADA) was certainly viewed as a triumph by the Democratic Party and by disability rights advocates. But the shortcomings of the legislation would become apparent in the following decades as people saw firsthand that the removal of employment and architectural barriers could accomplish only so much.

Other noteworthy laws and court decisions would come to pass in the following years. The Children's Health Insurance Program (CHIP), signed in 1997, provided federal money to states to be disseminated to families who do not qualify for Medicaid but who nonetheless cannot afford private insurance for their children.¹ Also of importance was the adoption of the Individuals with Disabilities Act (IDEA) in 1990, that served as an update to the Education for All Handicapped Children Act (EAHCA). IDEA now required that schools measure student outcomes and help them transition from secondary school to the working world.² Both measures seemed to indicate that the federal government recognized an increased responsibility to serve the needs of children with disabilities. Additionally, *Pennsylvania Department of Corrections v Yeskey* (1998) held that the ADA would now apply to all federal prisons.³ The ADA then received a substantial update in 2009 when the Americans with Disabilities Act Amendments Act (ADAAA) went into effect. Among its many changes, the ADAAA extended the category of disability to include more people suffering with a variable set of conditions,

including a specific directive to cover people who have episodic medical issues that substantially limit a major life activity.⁴ People suffering from seizures are one group affected by this measure.

Most influential would be the passage of the Affordable Care Act (ACA) in 2010. Among its provisions, the ACA stipulates that health insurers cannot deny coverage to people with pre-existing conditions. Of course, this provision directly implicates people with disabilities who, by definition, possess pre-existing conditions.⁵ The ACA's expansion of Medicaid coverage also extends broad support to members of the disability community, who often face staggering healthcare bills to cover necessary care.⁶ Furthermore, the "no lifetime limit" provision prevents insurance companies from rescinding coverage after a certain dollar amount has been reached.⁷ Each of these measures highlights the federal government's steady progression in assuming care for the disability community—that is, until now.

The election of Donald Trump to the U.S. presidency could have disastrous consequences for the disability community. Both from an oratorical perspective and policy perspective, Trump's engagement with disability issues is disturbing. Many spectators were outraged during his campaign for office when, during a stump speech, he chose to mock a reporter with a physical disability that limits flexibility in his arms.⁸ From a rhetorical perspective, Trump's rudeness was unambiguous. Given the rhetorical situation, his decision to belittle a reporter was not a savvy one, as he was widely condemned for doing so. From a moral perspective, it was unconscionable. When we compare Trump's treatment of the reporter to Roosevelt and Kennedy's problematic

discursive choices regarding physicality and citizenship, the obvious conclusion is that we have regressed in presidential discursive treatment of people with disabilities.

Of serious concern to the history of increasing federal legal protections for people with disabilities is the real danger that the House of Representatives' ACA replacement bill, the American Health Care Act (AHCA), poses. Undoing the key provisions of the ACA could spell financial ruin for many people with disabilities, even those whose families earn healthy salaries. Without question, the progress that has been made over the last century hangs in the balance.

From a civil rights and educational opportunity perspective, disability rights advocates have much to be concerned about as well. The appointment of Betsy DeVos to lead the Department of Education has already begun to have deleterious consequences. According to a June 16th report by the *New York Times*, an internal memo in the department called for a scaling back of investigations into systemic issues of discrimination in public schools as well as a decrease in time spent identifying classes of victims.⁹ On the subject of discrimination in public schools, DeVos has said her office will not “issue any decrees,” even while she ambiguously stated that she is against discrimination as a general practice.¹⁰ Specifically, the Department plans to eliminate forty percent of its funding dedicated to exploring and rectifying civil rights issues.¹¹ Unsurprisingly, none of these revelations leave much hope for advocates who have spent their lives fighting for inclusion of children with disabilities into the mainstream of public education.

People with Disabilities: Citizens or Spectators?

This thesis has traced the discursive trajectory of key moments in presidential rhetoric that speak to citizenship as it implicates issues of the body. Additionally, it has compiled a brief overview of legal decisions and statutes that had significant effect on the lives of people with disabilities. At the beginning of this project, I posed several guiding questions for analysis: To what extent does a rhetoric of able-bodiedness discursively erase the lives and history of citizens with disabilities? How might rhetoric be used to shed light onto the communicative gaps that our history books display? And, most centrally, how does presidential rhetoric illuminate or obscure these issues?

To the first two questions, this analysis points to a disturbing conclusion. American talk about ideal citizenship most certainly diminishes the lived histories of citizens with disabilities. Hearers of Roosevelt and Kennedy's speeches in particular would be hard pressed to consider the history of disability in a positive manner vis a vis ideal citizenship. As we consider ourselves descendants of the rugged frontiersmen, as conquerors of strenuous fitness tests, or as worthy contributors in a capitalist economy, we also marginalize the experiences of millions of Americans who have been legally and rhetorically relegated to back rooms and institutions.

To the third question, this thesis provides equally disheartening answers. The historical treatment of people with disabilities through the mechanisms of presidential rhetoric reveals that ideal citizenship is portrayed as antithetical to the existence of physical difference. The ideal citizen, according to Roosevelt and Kennedy, is physically strong. He works with his hands. He takes part in sports. He values physical fitness. He participates willingly in the capitalist economy by finding a job and making himself

useful, as Bush demonstrates. These are the qualities that presidential rhetoric heralds. Through close-text speech analysis, these motifs are apparent.

What this analysis does not accomplish is an exhaustive accounting of every policy or speech that impacted the lives of people with disabilities. As such, continued examination of these issues across the twentieth century would be especially welcome. Because the literature base of this study is rooted primarily in presidential rhetoric on national identity and general theories provided by disability studies scholars, this analysis is not designed to come into conversation with the rich literature on post-structural theory that implicates the body (one noteworthy example can be found in the writings of Michel Foucault).¹² Such analysis would be interesting and enlightening to position alongside the close-text reading I have provided here. Moreover, my own limited knowledge of the lived experiences of people with physical disabilities has undoubtedly curtailed the insights this project can offer. Continued scholarship in Communication that addresses these issues would be most welcome from people who have spent their lives as members of the disability community.

Final Thoughts

From a historical/legal perspective, people with disabilities have been cast to the margins of society. While incremental change throughout the twentieth and twenty-first centuries has aimed to better the lot of disability status individuals, the fact remains that much progress awaits. Although eugenic thought, for example, is no longer considered scientifically or morally valid by the mainstream, American society has yet to take the legal steps to affirm the right to life of people with disabilities. The introduction of the AHCA, as well as the Senate version introduced just days before this thesis was

completed, highlights the unwillingness of many Americans to come to terms with their prejudices against the imperfect body. The road to reconciliation will be long. Our history implores us to make amends for our shameful behavior, both past and present.

Notes

¹ “Program History,” Medicaid.gov: Keeping America Healthy, Accessed June 23, 2017. <https://www.medicaid.gov/about-us/program-history/index.html>.

² John Peterson, “A Timeline of Special Education History,” July 17, 2007. Accessed June 23, 2017. <http://www.footschools.org/m/content.cfm?subpage=62980>.

³ *Pennsylvania Department of Corrections v Yeskey*. 97 U.S. 634 (1998).

⁴ “The ADA Amendments Act of 2008,” *the Job Accommodation Network*, December 19, 2013. Accessed June 23, 2017. <https://askjan.org/bulletins/adaaa1.htm>.

⁵ Dylan Matthews, “These are All the People the Republican Healthcare Bill will Hurt,” *Vox*, May 4, 2017. <https://www.vox.com/2017/5/4/15542990/republican-health-bill-ahca-medicaid-victims>.

⁶ Rebecca Vallas, Katherine Gallagher Robbins, and Jackie Odum, “5 Ways President Trump’s Agenda Is a Disaster for People with Disabilities,” *Center for American Progress*, March 8, 2017. <https://www.americanprogress.org/issues/poverty/news/2017/03/08/427629/5-ways-president-trumps-agenda-disaster-people-disabilities/>.

⁷ Matthews, “These are the People,”.

⁸ Callum Borchers, “Meryl Streep was Right. Donald Trump Did Mock a Disabled Reporter,” *Washington Post*, January 9, 2017. Accessed June 23, 2017. https://www.washingtonpost.com/news/the-fix/wp/2017/01/09/meryl-streep-was-right-donald-trump-did-mock-a-disabled-reporter/?utm_term=.027121594f9a.

⁹ Erica L. Green, “Education Dept. Says It Will Scale Back Civil Rights Investigations,” *New York Times*, June 16, 2017. Accessed June 23, 2017. https://www.nytimes.com/2017/06/16/us/politics/education-department-civil-rights-betsy-devos.html?_r=0.

¹⁰ Green, “Education Dept. Says It Will Scale Back,”.

¹¹ Green, “Education Dept. Says It Will Scale Back,”.

¹² Brendan Gleeson argues that Marx (in addition to Foucault) provides useful discussion of the body as a locus of social control. See Brendan Gleeson, *Geographies of Disability* (New York: Routledge, 1999). 36-37

BIBLIOGRAPHY

- “Reagan on Dukakis: ‘I Won’t Pick on Invalid’ : ‘Just Trying to Be Funny,’ President Later Says of His Answer to Question on Medical Records.” *Los Angeles Times*, August 3, 1988. http://articles.latimes.com/1988-08-03/news/mn-6862_1_medical-records.
- “The ADA Amendments Act of 2008,” the Job Accommodation Network, December 19, 2013. Accessed June 23, 2017. <https://askjan.org/bulletins/adaaa1.htm>.
- 136 Cong. Rec. S9684. (daily ed. July 13, 1990) Website:
<http://www.usccr.gov/pubs/ada/ch1.htm>
- 136 Cong. Rec. S9689. (daily ed. July 13, 1990) Website:
<http://www.usccr.gov/pubs/ada/ch1.htm>
- A Brief History of the Disability Rights Movement, Anti-Defamation League, 2005,
http://archive.adl.org/education/curriculum_connections/fall_2005/fall_2005_lesson5_history.html
- Addams, Jane. *The Spirit of Youth and the City Streets* (Champaign: University of Illinois Press, rpt; 1909).
- All Things Considered, “Rand Paul Says He Has A Tea Party ‘Mandate.’” NPR.org.
<http://www.npr.org/templates/story/story.php?storyId=126985068>. Accessed March 22, 2016.
- Andrews, James R. “Oaths Registered in Heaven: Rhetorical and Historical Legitimacy in the Inaugural Addresses of Jefferson Davis and Abraham Lincoln,” in *Doing Rhetorical History: Concepts and Cases*. Edited by Kathleen J. Turner (Tuscaloosa: University of Alabama Press, 1998), 95-117.
- Ball, William Bentley. Association of Christian Schools International (CON), *Congressional Digest*, December 1989. 296-297.
- Beasley, Vanessa B. *You, the People: American National Identity in Presidential Rhetoric* (College Station: Texas A&M University Press, 2004).
- Beckett, Angharad E. *Citizenship and Vulnerability: Disability and Issues of Social and Political Engagement* (New York: Palgrave Macmillan, 2006).
- Blanck, Peter David and Chen Song, “‘Never Forget What They Did Here:’ Civil War Pensions for Gettysburg Union Army Veterans and Disability in Nineteenth-Century America.” *William & Mary Law Review* 44 (2003): 1109-1171.

- Blanck, Peter David and Michael Millender. "Symposium: The Americans with Disabilities Act: A Ten-Year Retrospective: Before Disability Civil Rights: Civil War Pensions and the Politics of Disability in America." *Alabama Law Review* 52 (2000): 1-48.
- Block, Pamela, Fabrico E. Balcazar, and Christopher B. Keys, "Race, Poverty and Disability: Three Strikes and You're Out! Or Are You?" *Social Policy* 33 (2002): 34-38.
- Bode, Robert A. "President Theodore Roosevelt's Rhetoric and Symbolic Acts: Communication and Rhetorical Implications." *North Dakota Journal of Speech & Theatre* 2 (1989): 32-38.
- Bogdan, Robert. *Freak Show: Presenting Human Oddities for Amusement and Profit*, (Chicago: University of Chicago Press, 1990).
- Borchers, Callum. "Meryl Streep was Right. Donald Trump Did Mock a Disabled Reporter," *Washington Post*, January 9, 2017. Accessed June 23, 2017. https://www.washingtonpost.com/news/the-fix/wp/2017/01/09/meryl-streep-was-right-donald-trump-did-mock-a-disabled-reporter/?utm_term=.027121594f9a.
- Boyer, Ernest. "Public Law 94-142: A Promising Start?" *Educational Leadership* 36 (1979): 298-301.
- Brown v Board of Education of Topeka*, 347 U.S. 483 (1954).
- Brueggemann, Brenda Jo and James A. Fredal, "Studying Disability Rhetorically," in Mairian Corker and Sally French, *Disability Discourse* (Philadelphia, PA: Open University Press, 1999): 129-135.
- Buck v. Bell*, 274 U.S. 207 (1927).
- Burgdorf Jr., Robert L and Marcia Pearce Burgdorf, "The Wicked Witch is Almost Dead" *Buck v. Bell* and the Sterilization of Handicapped Persons," *Temple Law Quarterly*. 50 (1976): 995-1034.
- Bush, George H.W. "Presidential Remarks: ADA First Anniversary," July 26, 1991, Rose Garden, Washington D.C. George H.W. Bush Presidential Records, White House Office of Speechwriting, Speech Files Draft Files, Chron File 1989-1993, Americans with Disabilities Act Ceremony, 7/26/91 OA/ID 13577-001, George Bush Presidential Library, College Station, TX.
- Bush, George H.W. "Remarks on the Signing of the ADA," July 26, 1990, White House, Washington, D.C. <http://millercenter.org/president/bush/speeches/speech-3424>. Accessed May 1, 2016.
- Campbell, Fiona Kumari. *Contours of Ableism: The Production of Disability and Aabledness* (New York: Palgrave Macmillan, 2009).

- Carey, Allison C. "Beyond the Medical Model: A Reconsideration of 'Feeble-mindedness,' Citizenship, and Eugenic Restrictions," *Disability and Society* 18 (2003). 411-430.
- Carter, Dorinda J., Stella M. Flores, and Richard J. Reddick. *Legacies of Brown: Multiracial Equity in American Education* (Cambridge, MA: Harvard Educational Review, 2004).
- Ceaser, James, Glen Thurow, Jeffrey Tulis, and Joseph Bessette, "The Rise of the Rhetorical Presidency," *Presidential Studies Quarterly* 11 (1981): 158-171.
- Colker, Ruth. "The ADA's Journey Through Congress," *Wake Forest Law Review* 39 (2004): 1-38.
- Colorado State University, Resources for Disabled Students, Disability Awareness: A Brief History of Legislation, 2016. <http://rds.colostate.edu/history-of-legislation>.
- Cox, Christopher. "Toward More Crippling Lawsuits," *Wall Street Journal*, October 13, 1989.
- Daniels, Roger. "Chinese Exclusion: Causes and Consequences, 1882-1943," in *Who Belongs in America? Presidents, Rhetoric and Immigration*. Edited by Vanessa B. Beasley (College Station: Texas A&M University Press, 2006), 89-106.
- Davis, Lennard J. "Constructing Normalcy: The Bell Curve, the Novel, and the Invention of the Disabled Body," in *The Disability Studies Reader*. Edited by Lennard J. Davis (New York: Routledge, 1997), 3-16.
- Devroy, Ann. "In Emotion-Filled Ceremony, Bush Signs Rights Law for America's Disabled," *Washington Post*, July 27, 1990.
- Dikotter, Frank. "Race Culture: Recent Perspectives on the History of Eugenics," *American Historical Review* 103 (1998): 467-478.
- Dolmage, Jay Timothy. "Disabled Upon Arrival: The Rhetorical Construction of Disability and Race at Ellis Island," *Cultural Critique* 77 (2011). 24-69.
- Dolmage, Jay Timothy. *Disability Rhetoric* (Syracuse, NY: Syracuse University Press, 2014).
- Dorr, Lisa Linnquist. "Arm in Arm: Gender, Eugenics, and Virginia's Racial Integrity Acts of the 1920s," *Journal of Women's History* 11 (1999): 143-166.
- Dorsey, Leroy G. "The Frontier Myth in Presidential Rhetoric: Theodore Roosevelt's Campaign for Conservation." *Western Journal of Communication* 59 (1995): 1-19.
- Dorsey, Leroy G. "Theodore Roosevelt, 'The Strenuous Life,'" *Voices of Democracy* 3 (2008), <http://voicesofdemocracy.umd.edu/leroy-g-dorsey/>.

- Dorsey, Leroy G. and Rachel M. Harlow, "'We Want Americans Pure and Simple': Theodore Roosevelt and the Myth of Americanism," *Rhetoric & Public Affairs* 6 (2003): 55-78.
- Douglas, Sally. "National Federation of Independent Business (CON)," *Congressional Digest*, December 1989. 306-309.
- Drimmer, Jonathan C. "Cripples, Overcomers, and Civil Rights: Tracing the Evolution of Federal Legislation and Social Policy for People with Disabilities." *UCLA Law Review* 40 (1993): 1341-1410.
- Droge, David. "From Natural to Cultural Inferiority: The Symbolic Reconstruction of White Supremacy in *Brown v. Board of Education*" in *Brown v. Board of Education at Fifty: A Rhetorical Perspective*. Edited by Clarke Rountree (Lanham, MD: Lexington Books, 2004). 91-116.
- Dykstra, Natalie A. "'Trying to Idle:' Work and Disability in The Diary of Alice James," in *The New Disability History: American Perspectives*. Edited by Paul K. Longmore and Lauri Umansky (New York: New York University Press, 2001), 107-132.
- Galton, Francis. "Hereditary Character and Talent," *Macmillan's Magazine* 12, (1865):157-166.
- Gettings, Robert M. *Forging a Federal State Partnership: A History of Federal Development of Disabilities Policy* (Washington, D.C.: American Association on Intellectual and Developmental Disabilities, 2011).
- Gill, Ann M. "The Supreme Court's Rhetoric of Legitimization," in *Brown v. Board of Education at Fifty: A Rhetorical Perspective* ed. Clarke Rountree (Lanham, MD: Lexington Books, 2004), 143-169.
- Gleeson, Brendan. *Geographies of Disability* (New York: Routledge, 1999).
- Glen, Kristin Booth. "Changing Paradigms: Mental Capacity, Legal Capacity, Guardianship, and Beyond," *Columbia Human Rights Law Review* 44 (2012): 1-71.
- Goffman, Erving. *Stigma: Notes on the Management of Spoiled Identity* (Englewood Cliffs, NJ: Prentice-Hall, 1963).
- Goldzwig, Steven R. "Civil Rights and the Cold War: A Rhetorical History of the Truman Administration's Desegregation of the United States Army," in *Doing Rhetorical History: Concepts and Cases*. Edited by Kathleen J. Turner (Tuscaloosa: University of Alabama Press, 1998), 143-169.
- Goodman, Joan F. and Lori Bond, "The Individualized Education Program: A Retrospective Critique," *The Journal of Special Education* 26 (1993): 408-422.
- Gordon, Stanley. "How America Can Get Physically Tough," *Look*, January 30, 1962, 49-52.

- Green, Erica L. "Education Dept. Says It Will Scale Back Civil Rights Investigations," *New York Times*, June 16, 2017. Accessed June 23, 2017.
https://www.nytimes.com/2017/06/16/us/politics/education-department-civil-rights-betsy-devos.html?_r=0.
- Green, Malcom. National Association of Theater Owners (CON) *Congressional Digest*, December 1989. 310-312.
- Grey Hound Lines Inc. (CON), *Congressional Digest*, December 1989. 302-305.
- Grimm, Andrew. "O Say Can You See? Stories from the National Museum of American History, Sitting-in for Disability Rights: The Section 504 Protests of the 1970s," July 8, 2015, <http://americanhistory.si.edu/blog/sitting-disability-rights-section-504-protests-1970s>
- Hall, Wynton C. "Economically Speaking: George Bush and the Price of Perception," in *The Rhetorical Presidency of George H.W. Bush*, Edited by Martin J. Medhurst (College Station: Texas A&M University Press, 2006). 171-196.
- Handwritten List of Organizations and Representatives to Attend ADA Accommodations Briefing, September 1989 George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.
- Hansen, Nancy E. and Heidi L. Janz, and Dick J. Sobsey. "21st Century Eugenics?" *Lancet* (December 21, 2008): S104-S107.
- Hardin, Brent and Marie Hardin, "Distorted Pictures: Images of Disability in Physical Education Textbooks," *Adapted Physical Activity Quarterly* 21 (2004): 399-413.
- Hasian, Marouf A. *The Rhetoric of Eugenics in Anglo-American Thought* (Athens: The University of Georgia Press, 1996).
- Hauser, Gerard A. "Incongruous Bodies: Arguments for Personal Sufficiency and Public Insufficiency," *Argumentation and Advocacy* 36 (1999): 1-8.
- Hiestand, Michael. "Sports Business; Legislation on 'Disabled' has Sports Repercussions," *USA Today*, March 22, 1990.
- Holmes, Steven. "Critics of Rights Law Fear a Flood of Suits Over Jobs," *New York Times*, May 28, 1990.
- Houck, Davis and Amos Kiewe. *FDR's Body Politics: The Rhetoric of Disability* (College Station: Texas A&M University Press, 2003).
- Keely, Karen A. "Poverty, Sterilization, and Eugenics in Erskine Caldwell's *Tobacco Road*," *Journal of American Studies* 36 (2002): 23-42.

- Kennedy, Angie C. "Eugenics, 'Degenerate Girls,' and Social Workers During the Progressive Era," *Journal of Women and Social Work* 23 (2008): 22-37.
- Kennedy, John F. "Remarks on Physical Fitness," (speech, Washington, D.C. March 30, 1962). YouTube, <https://www.youtube.com/watch?v=WUnxrCcQQv0>.
- Kennedy, John F. "Remarks on the Youth Fitness Program," (speech, Washington, D.C., July 19, 1961), The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=8248>.
- Kennedy, John F. "Special Message to the Congress on Mental Illness and Mental Retardation" (speech, Washington, D.C., February 5, 1963), The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=9546>.
- Kennedy, John F. "The Soft American," *Sports Illustrated*, December 26, 1960.
- Kerber, Linda. "The Republican Mother: Women and the Enlightenment—An American Perspective," *American Quarterly* 28 (1976): 187-205.
- Kinsel, Amy J. "From Turning Point to Peace Memorial: A Cultural Legacy," in *The Gettysburg Nobody Knows*, ed. Gabor S. Boritt (New York: Oxford University Press, 1997) 203-222.
- Knight, Louise W. *Jane Addams: Spirit in Action* (New York: W&W Norton and Company, 2010).
- LaCom, Cindy. "'It is More than Lame: Female Disability, Sexuality, and the Maternal in the Nineteenth Century Novel,'" in *The Body and Physical Difference*. Edited by David T. Mitchell and Sharon L. Snyder (Ann Arbor: University of Michigan Press, 1997), 189-201.
- Langford, Catherine L. "George Bush's Struggle with the 'Vision Thing,'" in *The Rhetorical Presidency of George H.W. Bush*. Edited by Martin J. Medhurst (College Station: Texas A&M University Press, 2006). 19-36.
- Letter from Bob Harrington, On behalf of the National Restaurant Association, to Dick Crawford, July 19, 1989, George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.
- Letter from Frances Seghers, On behalf of the Motion Pictures Association of America, to Johannes Kuttner, July 28, 1989, George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.

Letter from Paul Emerick, Richard Grund, and Thomas Godwin, On behalf of the Associated General Contractors of America, to Roger Porter, August 16, 1989, George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.

Letter from Thomas Youngblood, On behalf of the American Hotel and Motel Association, to Johannes Kuttner, Deputy Associate Director of Health and Human Services, August 22, 1989, George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.

Lindblom, Kenneth and Patricia A. Dunn, "The Roles of Rhetoric in Constructions and Reconstructions of Disability." *Rhetoric Review* 22 (2033): 167-174.

Locke, John. *Locke: Two Treatises of Government*. Edited by Peter Laslett. 3rd edition. (Cambridge: Cambridge University Press, 1988, (1690).

Loehwing, Melanie. "Homelessness as the Unforgiving Minute of the Present: The Rhetorical Tenses of Democratic Citizenship." *Quarterly Journal of Speech* 96 (2010): 380-403.

Malone, Julia. "Supreme Court Nominee Bush Picks Black Conservative," *Atlanta Journal and Constitution*, July 2, 1991.

Mansfield, Stephen A. "Defining 'An Appropriate Education' Under the Education for All Handicapped Children Act of 1975," *Maine Law Review* 34 (1982): 79-110.

Marten, James. "Those Who Have Borne the Battle: Civil War Veterans, Pensions Advocacy, and Politics," *Marquette University Law Review* 93 (2010): 1407-1413.

Martin, Edwin W., Reed Martin, and Donna L. Terman, "The Legislative and Litigation History of Special Education." *The Future of Children* 6 (1996): 25-39.

Mathieu, Paula. "Economic Citizenship and the Rhetoric of Gourmet Coffee," *Rhetoric Review* 18 (1999): 112-127.

Matthews, Dylan. "These are All the People the Republican Healthcare Bill will Hurt," *Vox*, May 4, 2017. <https://www.vox.com/2017/5/4/15542990/republican-health-bill-ahca-medicaid-victims>.

Mayerson, Arlene. "The History of the Americans with Disabilities Act: A Movement Perspective," Disability Rights Education and Defense Fund, 1992. <http://dredf.org/news/publications/the-history-of-the-ada/> Accessed May 1, 2016.

McGee, Michael Calvin. "Text, Context, and the Fragmentation of Contemporary Culture," *Western Journal of Speech Communication* 54 (1990): 274-289.

- McLaughlin, Margret J. "Evolving Interpretations of Educational Equity and Students with Disabilities," *Exceptional Children* 76 (2010): 265-278.
- Memorandum from Peggy Polk Regarding ADA Briefing on Public Accommodations, to Johannes Kuttner, September 22, 1989, George H.W. Bush Presidential Records, White House Office of Policy Development, Johannes Kuttner Files, Americans with Disabilities Act: Business and Industry OA/ID 03138-010, George Bush Presidential Library, College Station, TX.
- Memorandum to the President Regarding the Americans with Disabilities Act First Anniversary, from Beth Henchcliffe, July 24, 1991. George H.W. Bush Presidential Records, White House Office of Speechwriting, Speech Files Draft Files, Chron File 1989-1993, Americans with Disabilities Act Ceremony, 7/26/91 OA/ID 13577-001, George Bush Presidential Library, College Station, TX.
- Miech, Richard A., Avshalom Caspi, Terrie E. Moffitt, Bradley R. Entner Wright, and Phil A. Silva, "Low Socioeconomic Status and Mental Disorders: A Longitudinal Study of Selection and Causation during Young Adulthood," *American Journal of Sociology* 104 (1999): 1096-1131.
- Minow, Martha. *In Brown's Wake: Legacies of America's Educational Landmark* (New York: Oxford University Press, 2010).
- Mitchell, David T. and Sharon L. Snyder, "Disability Studies and the Double Bind of Representation," in *The Body and Physical Difference*, ed. David T. Mitchell and Sharon L. Snyder (Ann Arbor: University of Michigan Press, 1997): 1-34.
- Moe, Peter Wayne. "Revealing Rather Than Concealing Disability: The Rhetoric of Parkinson's Advocate Michael J. Fox." *Rhetoric Review* 31 (2012): 443-460.
- Murphy, John M. "The Heroic Tradition in Presidential Rhetoric." *Rhetoric & Public Affairs* 3 (2000): 466-470.
- Murphy, John M. "The Language of the Liberal Consensus: John F. Kennedy, Technical Reason, and the "New Economics" at Yale University," *Quarterly Journal of Speech* 90 (2004): 133-162.
- Murphy, Troy A. "Romantic Democracy and the Rhetoric of Heroic Citizenship," *Communication Quarterly* 51 (2003): 192-208.
- O'Brien, Ruth. *Crippled Justice: The History of Modern Disability Policy in the Workplace* (Chicago, IL: University of Chicago Press, 2001).
- O'Toole, Patricia. "The Speech That Saved Teddy Roosevelt's Life," *Smithsonian*, November 2012. <http://www.smithsonianmag.com/history/the-speech-that-saved-teddy-roosevelts-life-83479091/>.

- Obama, Barack. "Speech at the 2016 Democratic National Convention," (speech, Philadelphia, PA, July 27, 2016), Politico, <http://www.politico.com/story/2016/07/dnc-2016-obama-prepared-remarks-226345>.
- Olson, Gregory Allen. "The Deciding Factor: The Rhetorical Construction of Mansfield's Credibility and the Eisenhower Administration's Policy on Diem," in *Doing Rhetorical History: Concepts and Cases*. Edited by Kathleen J. Turner (Tuscaloosa: University of Alabama Press, 1998), 170-190.
- Paulson, Jon. "Theodore Roosevelt and the Rhetoric of Citizenship: On Tour in New England, 1902," *Communication Quarterly* 50 (2002): 123-134.
- Pennsylvania Department of Corrections v Yeskey*. 97 U.S. 634 (1998).
- Perelman, Chaim and Lucy Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation* (Notre Dame, IN: The University of Notre Dame Press, 1969).
- Peterson, John. "A Timeline of Special Education History," July 17, 2007. Accessed June 23, 2017. <http://www.fortschools.org/m/content.cfm?subpage=62980>.
- Phelps Coco, Adrienne. "Diseased, Maimed, Mutilated: Categorizations of Disability and an Ugly Law in Late Nineteenth-Century Chicago." *Journal of Social History* 44 (2010) 23-37.
- Program History," Medicaid.gov: Keeping America Healthy, Accessed June 23, 2017. <https://www.medicaid.gov/about-us/program-history/index.html>.
- Public Law 85-926, September 6, 1958.
- Rehabilitation Act of 1973, <https://www.disability.gov/rehabilitation-act-1973/>
- Riddle, Christopher A. "The Ontology of Impairment: Rethinking How We Define Disability" In *Emerging Perspectives on Disability Studies*. Edited by Matthew Wappett and Katrina Ardnt (New York: Palgrave Macmillan, 2013), 23-39.
- Roosevelt, Theodore. "Address Before the National Congress of Mothers," (speech, Washington, D.C., March 13, 1905), The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.
- Roosevelt, Theodore. "An Address to the Boys of the Hill School," (speech, Pottstown, PA, No date). The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.
- Roosevelt, Theodore. "At the Dedication Ceremonies of the Louisiana Purchase Exposition," (speech, St. Louis, MO: April 30, 1903). The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeeches.html>.

- Roosevelt, Theodore. "Character and Success," *The Outlook*, March 31, 1900. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeches.html>.
- Roosevelt, Theodore. "Christian Citizenship," (speech, New York, 1900). The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeches.html>.
- Roosevelt, Theodore. "Duty and Self-Control," (speech, Madison, WI, April 15, 1911). The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeches.html>.
- Roosevelt, Theodore. "Strength and Decency," (speech, New York, August 16, 1903). The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeches.html>.
- Roosevelt, Theodore. "The Administration of the Island Possessions," (speech, Hartford, CT, August 22, 1902). The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeches.html>.
- Roosevelt, Theodore. "The American Boy," *St. Nicholas*, May 1900. The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeches.html>.
- Roosevelt, Theodore. "The Conditions of Success," (speech, Cambridge, MA, May 26, 1910). The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeches.html>.
- Roosevelt, Theodore. "The Duties of American Citizenship," (speech, Buffalo, NY, 1893). The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeches.html>.
- Roosevelt, Theodore. "The Man in the Arena," (speech, Paris, April 23, 1910). The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeches.html>.
- Roosevelt, Theodore. "The Square Deal," (speech, Dallas, TX, April 5, 1905). The Almanac of Theodore Roosevelt, <http://www.theodore-roosevelt.com/trspeches.html>.
- Roosevelt, Theodore. "The Strenuous Life" (speech, Chicago, IL, April 10, 1899), *Voices of Democracy*, <http://voicesofdemocracy.umd.edu/roosevelt-strenuous-life-1899-speech-text/>.
- Schraven, Jodie and Jennifer L. Jolly. "Section 504 in American Public Schools: An Ongoing Response to Change," *American Educational History* 37 (2010): 419-436.
- Schuck, Peter H. "Liberal Citizenship," in *Handbook of Citizenship Studies*. Edited by Engin F. Isin and Bryan S. Turner (London: Sage, 2002), 131-144.
- Schudson, Michael. *The Good Citizen: A History of American Civic Life* (New York: Martin Kessler Books, 1998.)

- Schultz, Jane E. "Race, Gender, and Bureaucracy: Civil War Army Nurses and the Pension Bureau," *Journal of Women's History* 6 (1994): 45-69.
- Schweik, Susan M. *The Ugly Laws: Disability in Public* (New York: New York University Press, 2009).
- Shapiro, Joseph A. *No Pity: People with Disabilities Forging a New Civil Rights Movement* (New York: Three Rivers Press, 1993).
- Shklar, Judith N. *American Citizenship: The Quest for Inclusion* (Cambridge, MA: Harvard University Press, 1991).
- Sixth Biennial Report of the Board of State Commissioners of Public Charities of the State of Illinois* (Springfield, 1880), 44-45.
- Skocpol, Theda. *Protecting Soldiers and Mothers: The Politics and Origins of Social Policy in the United States* (Cambridge, MA: Harvard University Press, 1992).
- Sloan, John. "What's Wrong with the New Civil Rights Bill," *Washington Post*, September 2, 1989.
- Smith, Ann and Elizabeth B. Kozleski, "Witnessing Brown: Pursuit of an Equity Agenda in American Education," *Remedial and Special Education* 26 (2005): 270-280.
- Staton, Ann Q. and Jennifer A. Peebles, "Educational Reform Discourse: President George Bush on 'America 2000,'" *Communication Education* 49 (2000): 303-319.
- Steffen, D. "How Regulation Came to Be: The Rehabilitation Act of 1973," *Daily Kos*, December 12, 2010, [http://www.dailykos.com/story/2010/12/12/928271/-](http://www.dailykos.com/story/2010/12/12/928271/)
- Stob, Paul. "Louis Brandeis and the Rhetoric of Transactional Morality," *Rhetoric & Public Affairs* 14 (2011): 261-290.
- Stone, Deborah A. *The Disabled State* (Philadelphia, PA: Temple University Press, 1984).
- Stuckey, Mary E. "Establishing the Rhetorical Presidency through Presidential Rhetoric: Theodore Roosevelt and the Brownsville Raid." *Quarterly Journal of Speech* 92 (2006): 287-309.
- Stuckey, Mary E. *Defining Americans: The Presidency and National Identity* (Lawrence: University Press of Kansas, 2004).
- Thomas, Janet Y. and Kevin P. Brady, "The Elementary and Secondary Education Act at 40: Equity, Accountability, and the Evolving Federal Role in Public Education." *Review of Research in Education* 29 (2005): 51-67.

- Thompson, Tracy. "The Special Education Charade: Individualized Education Programs, or IEPs, are one of the greatest pitfalls of the country's school system," *Atlantic*, January 3, 2016. <https://www.theatlantic.com/education/archive/2016/01/the-charade-of-special-education-programs/421578/>.
- Thomson, Rosemarie Garland. *Extraordinary Bodies: Figuring Disability in American Culture and Literature* (New York: Columbia University Press, 1997).
- U.S. Census Bureau. "Nearly 1 in 5 People have a Disability in the U.S." <https://www.census.gov/newsroom/releases/archives/miscellaneous/cb12-134.html> (accessed October 17, 2016).
- Vallas, Rebecca, Katherine Gallagher Robbins, and Jackie Odum, "5 Ways President Trump's Agenda Is a Disaster for People with Disabilities," *Center for American Progress*, March 8, 2017. <https://www.americanprogress.org/issues/poverty/news/2017/03/08/427629/5-ways-president-trumps-agenda-disaster-people-disabilities/>.
- Von Burg, Ron and Paul E. Johnson. "Yearning for a Past that Never Was: Baseball, Steroids, and the Anxiety of the American Dream." *Critical Studies in Media Communication* 26 (2009): 351-371.
- Ware, B.L. and Wil A. Linkugel. "They Spoke in Defense of Themselves: On the Generic Criticism of Apologia," *Quarterly Journal of Speech* 59 (1973): 273-283.
- Weber, Max. *The Protestant Ethic and the Spirit of Capitalism: And Other Writings*. Edited by Peter Baehr and Gordon C. Wells (New York: Penguin Classics, 2002).
- White, Hayden. *Metahistory: The Historical Imagination in Nineteenth-Century Europe* (Baltimore, MD: Johns Hopkins University Press, 1973).
- Wills, Garry. *Lincoln at Gettysburg: The Words that Remade America* (New York: Simon and Schuster, 2006).
- Wilson, James C. and Cynthia Lewiecki-Wilson, "Disability, Rhetoric, and the Body," in *Embodied Rhetorics: Disability in Language and Culture* (Carbondale: Southern Illinois University Press, 2001): 1-35.
- Winfield, Ann G. "Resuscitating Bad Science: Eugenics Past and Present," in *The Assault on Public Education*. Edited by W.H. Watkins (New York: Teachers College Press, 2012), 143-159.
- Wrage, Ernest J. "Public Address: A Study in Social and Intellectual History," *Quarterly Journal of Speech* 33 (1947): 451-457.
- Yell, Mitchell L., David Rogers, and Elisabeth Lodge Rogers, "The Legal History of Special Education: What a Long, Strange Trip It's Been!" *Remedial and Special Education* 19 (1998): 219-228.

- Young, Jonathan M. *Equality of Opportunity: The Making of the Americans with Disabilities Act*, The National Council on Disability, 2010
https://www.ncd.gov/publications/1997/equality_of_Opportunity_The_Making_of_the_Americans_with_Disabilities_Act.
- Zarefsky, David. "Four Senses of Rhetorical History," in *Doing Rhetorical History: Concepts and Cases*. Edited by Kathleen J. Turner (Tuscaloosa: University of Alabama Press, 1998), 19-32.
- Zarefsky, David. "George Bush and the Transformation of Civil Rights Discourse, 1965—1990," in *Civil Rights Rhetoric and the American Presidency*. Edited by James Arnt Aune and Enrique D. Rigsby (College Station: Texas A&M University Press, 2005), 231-267.
- Zingg, Paul J. "Diamond in the Rough: Baseball and the Study of American Sports History," *The History Teacher* 19 (1986): 385-403.
- Zyskind, Harold. "A Case Study in Philosophic Rhetoric: Theodore Roosevelt." *Philosophy and Rhetoric* 1 (1968): 228-254.