



Ugly Laws

The history of disability regulation in North America

By Dan Thompson, RRP, RVP, CLCP

Recently I viewed a great film that was released in 2006 called *The Music Within*. It is based on the incredible true-life story of Mr. Richard Pimentel, a strong advocate for the passage of the Americans with Disabilities Act (ADA); however, it was Mr. Justin Dart, President Bush, Attorney General Thornburgh and Senator Hatch that made the ADA a reality.

At one point in the film, they make reference to Ugly Laws. Apparently, from the late 1860s until the 1970s, several American cities had "ugly laws," making it illegal for persons with "unsightly or disfiguring" disabilities to appear in public. Some of those laws were called "unsightly beggar ordinance" and it appeared that the goal of those laws was to preserve the quality of life for their communities and was similar in spirit to Homeowners Associations' Regulations and Bylaws. The first appearance of these ordinances was in 1867 in San Francisco. The ordinance seems to have been welcomed from the 1800s in western and particularly midwestern cities with strong and networked cultures of reform. For example, the Chicago Municipal Code, Section #36034 included an ordinance that stipulated: "No person who is diseased, maimed, mutilated or in any way deformed so as to be an unsightly, disgusting or improper is to be allowed in or on the public ways or other public places in this city, or shall therein or thereon expose himself to public view, under penalty of not less than one dollar nor more than fifty dollars for each offense."

Many states' and cities' Ugly Laws were not repealed until the 1970s, and Chicago was the last to repeal its Ugly Law in 1974.

When I grew up in London, Ontario, the English curriculum included John Wyndham's *The Chrysalids*. It was a post-apocalyptic science-fiction novel depicting

a world where an extra toe on a newborn would automatically result in the death of that baby, or where anyone different could be sterilized, or they could be taken to the Fringes, an enigmatic land where unfortunate mutants were exiled. Themes within *The Chrysalids* include the inevitability of change, man's inhumanity to his fellow man, ignorance and bigotry. Those same themes are included in Mary Shelley's *Frankenstein*. As a young boy, Frankenstein became obsessed with what gives humans their life spark. In college, he created his own "perfect" human from scavenged body parts; however, once it lived, the creature was so hideous, Frankenstein ran from it.

The prejudices depicted in those novels were a reality enforced by law only 37 years ago! The recantation of those laws is forever tied to the Americans with Disabilities Act (ADA); however, that was only passed 21 years ago, in 1990. The ADA granted certain rights for people with disabilities: "Individuals with disabilities are a discrete and insular minority who have been faced with restrictions and limitations, subjected to a history of purposeful unequal treatment, and regulated to a position of political powerlessness in our society, based on characteristics that are beyond the control of such individuals and resulting from stereotypical assumptions not truly indicative of the individual ability of such individuals to participate in, and contribute to, society."

We should be eternally grateful for Mr. Pimentel, Mr. Dart, President Bush, Attorney General Thornburgh, Senator Hatch and others who ensured the rights of those whose voices can't always be heard. But at the same time, we must recognize that no matter what the disability, each person should attempt to "earn" the respect and acceptance of others by respecting and accepting others.

One of the general philosophies of the ADA is to remove barriers by putting the onus on employers to make their businesses accessible, and thus, create an equal playing field for all. Unfortunately, there are certain parts of the United States that have economic challenges not seen since the Great Depression. Some employers protest that complying with the ADA puts further economic hardship on them; however, it makes good economic sense for employers to make their businesses accessible as a means of tapping into a larger workforce and as a means of extracting disposable income from people with disabilities.

True acceptance cannot be legislated; however, hopefully we can be more accepting of people who are different, and in turn, will be more accepting of our own differences. ☺



About the Author

When Dan acquired C4-C5-C6

quadriplegia from an automobile accident in 1980 it changed his life forever. Regardless, Dan set about dedicating his life to improving the quality of life of others with disabilities. He became an RRP, an RVP, and a CLCP. Over the last 12 years, Dan has worked on hundreds of cases that required Life Care Plans, Vocational Reports, Case Management Services, Rehabilitation Plans and Housing.