

Writes of Passage – February 6, 2011

Kandy Penner

We all treasure those special events in which the date is forever marked in our heart and head . . . the finding of our true love, the birth of our children. Similarly, there are events that are marked, collectively, in the hearts and heads of all of us, dates for which we all, or many, of us have strong emotional feelings. For my husband Bill Williams and me a couple of such events include:

- President Kennedy's assassination on November 22, 1963;
- the passage in November 1975 of the Education for All Handicapped Children Act (Public Law 94-142) – The law required all public schools to provide access to education for children with physical and mental disabilities.
- and November, 2009, Barack Obama, the first African American was elected president.

But in terms of a community or national event, none stands out more clearly or significantly in Bill's and my heart and head as does the signing by President George H.W. Bush of the Americans with Disabilities Act (the ADA), on July 26, 1990. This law basically prohibits public and private discrimination against persons with disabilities.

On that day, July 26, 1990, Bill and I truly rejoiced knowing that our daughter, Brandy, would have the protection of a federal law in helping her achieve a more complete life. A life more free from public and private discrimination in accessing the community-- especially as related to any opportunity she might have in obtaining a job. At the time this bill was passed Brandy was 11 years old. For those of you who don't know Brandy she is the cute, young-looking, red headed girl who goes on crutches and attends UCG's Friendship Group with a number of her friends, whose families also are members of UCG. Brandy was born with cerebral palsy which resulted in her having significant cognitive as well as ambulatory disabilities. However, Brandy now works a few hours a week at the Arc of Alachua County, an organization that serves persons with developmental disabilities. With the help of a job coach, Brandy's job involves using a shredding machine to destroy dated documents generated by the Arc. Brandy loves her job and has learned that hard work results in a pay check and that the money she makes is hers to buy things she wouldn't get if she didn't work.

In September, 1990, two months after the passage of the Americans with Disabilities Act, Brandy, Bill and I went to Russia on a job related project. During this trip we had the opportunity to visit several orphanages and learned that the Russian culture at that time during Soviet rule basically denied having persons with developmental disabilities. We could clearly see that by denying the existence of persons with developmental disabilities there was no need for their society to even consider such aids as curb cuts, ramps, preferential parking, much less the more important issues of access to education, or accommodations for people to be able to work, or community sensitivity towards folks with disabilities. It was at this moment that we realized more fully the magnificent movement toward justice that American families, advocates, and laws and policies have championed. And that makes the United States a really good place to be for a person with disabilities.

Andy McCollough

I must admit that my concept of justice is an evolving one – one that has changed and been modified as I have been changed and modified by life and living. I am hopeful that the evolution is in the direction of a better concept.

I believe the first step in this evolution occurred, like it does for most of us, when I was a teenager.

I was raised in a family that was competitive and dedicated to winning in the races that mattered – and we decided which ones mattered. In that environment there was little talk/thought of justice or rather it was couched in terms of fairness. In retrospect, fairness to me was egocentric. If someone beat me in anything, it wasn't fair. To the extent to which I considered the question of justice, it was in the context of the law. My concept of justice was the legal system which I believed proscribed the "just" world. This system was external to me. It established important parameters of the environment in which I lived – but fairness defined my personal space.

My logical "apple cart" got upset for the first time (and never really recovered) one summer when I was working for my Dad. My Dad owned a small retail furniture store and all of the family from time to time was part of the staff. For this particular summer, since I was the oldest child and the biggest, I was the designated "repo" man

One Saturday afternoon, I went out to repossess a refrigerator which had been purchased on an installment basis but there had been no payments made for several months. I pulled into the yard of the house where the refrigerator was located and there were a half dozen children (my guess was that the oldest was 10) and a similar number dogs playing rolling/playing in the dirt. I went to the door of the house and knocked. A young lady (I would guess 13/14 years old) answered and I asked if her mother or father were home.

She said, "My Ma is working and we ain't got no Pa."

I said, "Well, I have come for the refrigerator because you all have not been paying as agreed."

"You can't do that! It's not fair!, she exclaimed. "All these little chillen need their milk and all we eat is in that Frigidare!"

I said, "It may not be fair but your mother signed a contract and she hasn't paid as agreed and the law says we can take the refrigerator back." And I thought to myself, "And so it is 'just'".

When I got back to the store, my Dad said, "Son, where is the refrigerator you were supposed to pick up?"

I said, "I couldn't do it – and I can't be the repo man anymore. I know what the law says, but it just doesn't feel right."

My Dad went to great lengths explaining to me that our family's economic well being depended on people fulfilling their contractual obligations. I understood his argument, but it still didn't seem right to me. We had 2 refrigerators, 3 children and 1 dog and the family I just left would have had zero refrigerators for six children and six dogs.

My concept of justice changed. And for the first time, but not the last time, it was evident to me that "the law" and justice are not always the same.