

# Arlene Mayerson

**Audio transcript:** On defining disability for the Americans with Disabilities Act

**Date:** March 27, 2001

**Interviewer:** Mary Lou Breslin

**Note:** Transcripts have been lightly edited; therefore there may be slight discrepancies with audio clips.

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**Mayerson:**

I think the definition of disability is a—the other thing that I think now, is that it is so profound. And the whole thing we were doing was so profound. But the pace of legislative work is so fast and furious that you are not really able to go to the profundity level and also get your work done. And so [pause] we were doing something that was trying to combine the politics of the day with a vision of the future, which involved a paradigm of the day, and a future paradigm, and it was all a very ambitious task. And it still hasn't caught up, but maybe that's okay. Maybe it will. But we were expecting more.

**Breslin:**

More in what respect?

**Mayerson:**

More advancement in the paradigm of disability. That the ADA has been, I think, tremendously successful in a lot of ways—as far as this fundamental question of who is considered disabled, I think that is where people are still, where the ADA has not necessarily cleared the air. In fact, I think it has made people more confused. And it's—I mean, one thing that I really love about the ADA, and I love in every single aspect, including its failures, is that it has absolutely stimulated a national dialogue, an academic dialogue, a philosophical dialogue, a moral dialogue. I mean, it has really opened this question. And all that opening hadn't happened before the ADA. If we had had ten years of *Law Review* articles, and academic articles, and movement meetings, and everything, about what was disability, and—maybe the ADA would, it would have been built on a different foundation. But we didn't. We just had this law, 504, you know, and it wasn't—as we know now, you know, it was also just kind of pieced together to try to push something through. It was a profound piece of legislation, and it was an advancement in this particular issue. But the dialogue—I don't know if you can have profound legislation without more of an understanding in the other institutions of society.

**End of transcript**