

Before the ADA, activists fought for human rights

by [Luther Granquist](#) // July 9th, 2010



(First in a two-part series)

May 1973, 17 years before Congress passed the ADA, the Minnesota Legislature added persons with disabilities as a protected class under the state Human Rights Act. The vote was not close, 115-11 in the House and 53-1 in the Senate. Handi-Registration, a self-advocacy group which focused on the civil rights of persons with disabilities, played a major role in changing the law.

Handi-Registration had stated the case for legal protection against discrimination on the basis of disability in June 1972 before the Bill of Rights Committee of a legislative commission established to consider changes in the state constitution. Charles Van Heuveln, a man with cerebral palsy and one of the founders of the organization, was the first of seven witnesses. It was time, he said, for physically impaired people to “be counted for and to be recognized as first class citizens.” He recommended an equal protection clause in the state constitution that provided equal rights for everyone, regardless of physical or mental handicap. Peter Benzian, an attorney with MPIRG (Minnesota Public Interest Research Group), followed Heuveln and presented such an amendment to the committee.

Rev. Robert Lovering, who had had polio, testified that his tax money was used to construct buildings he could not enter and for a transportation system he could not use. He showed the committee slides of architectural barriers he faced. Lorraine Arvidson, from United Blind of Minnesota, reminded the committee that Illinois had already added a comparable provision to the state constitution. Robert Lindstrom of the Minnesota Epilepsy League explained the dilemmas people with epilepsy face when seeking employment. Rev. Barbara Andrews, a recently ordained Lutheran minister who had cerebral palsy, described the difficulties she encountered with taxicab companies to get from her home in Minneapolis to her church in Edina. Gene O’Neil, the Executive Director of United Cerebral Palsy of St. Paul, detailed employment practices that excluded persons with disabilities.

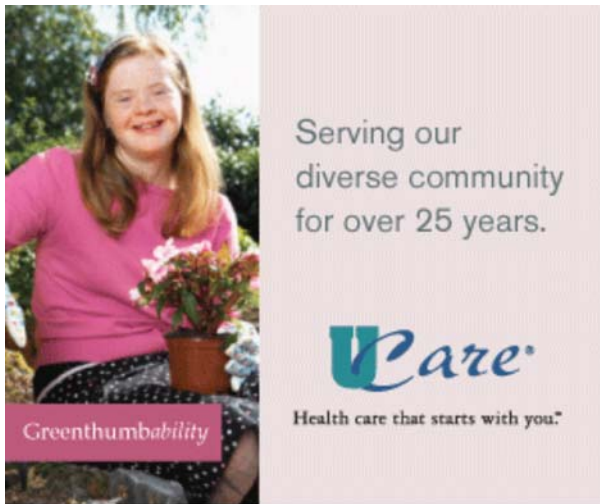
The Handi-Registration presentation persuaded the committee to recommend that the state constitution require the legislature to provide by law for protection of persons against discrimination on the basis physical or mental handicap in all of the areas included in the Human Rights Act — employment, housing, education, public accommodations, and public services. Handi-Registration members wrote to the full commission and urged them to adopt this recommendation. LeAnne Nelson (Dahl) wrote that “it was virtually impossible to get anywhere without depending on handicapped persons to drive me.” Charles Frahm described problems trying to use public transportation. Joan Ryan mentioned not having a checking account because she had to be able to sign her name. The full Constitutional Study Commission recommended a general provision, that no person be denied the equal protection of the laws, without specifying any group of persons, but also recommended that the legislature pass laws to implement that provision for persons with disabilities.

The Minnesota Coalition of and for Handicapped Persons, comprised of more than 75 organizations and government agencies, including Handi-Registration, organized the first Governor’s Conference on the Handicapped in October 1972. That conference made many recommendations for major changes in state law and policy, including amending the Human Rights Act to cover persons with disabilities. A bill subsequently

drafted by the Human Rights Department did so, but only for discrimination in employment.

Handi-Registration members, as well as other organizations in the Coalition, told legislative leaders that this proposal did not go far enough. Mel Duncan, on behalf of Handi-Registration, proposed amendments to the bill to provide a remedy for disability discrimination in housing, education, public accommodations and public service as well. The House adopted these Handi-Registration proposals, but also provisions stating there was no requirement for special services or reasonable accommodations for persons with disabilities. The Senate further amended the bill to exclude coverage in public services and to limit coverage in public accommodations to discrimination by taxicab companies. These gaps in the law remained to be dealt with in subsequent sessions.

Handi-Registration did not act alone, but these self advocates laid much of the ground work for changes in the Human Rights Act in the 1970s. While we celebrate the signing of the ADA, we should also celebrate this work done years earlier by persons with disabilities and their advocates.



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