

Syracuse College of Education Convocation Speech  
May 12, 2007  
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Dean Douglas Biklen, distinguished faculty, administration and staff, visitors, of this great place, and most especially those of you, graduates, who in this 100<sup>th</sup> graduating class will receive your earned baccalaureate, masters and doctoral degrees. And a special salute to those of your family and friends who celebrate this achievement with you and who may properly celebrate their own mighty contribution to the support of each of you in this achievement.

I am pleased and proud and excited to receive in your company an honorary degree from this historically extraordinary Syracuse University School of Education. You honor, in this Centennial Year, my work, the work of my colleagues over four decades at the Public Interest Law Center of Philadelphia – two of the closest of whom, Frank Laski and Nancy Zollers and their daughters, Anna and Sarah, are here, and you honor our clients throughout this time and going forward into this new century, members and leaders of disability rights organizations who in turn have been leaders of the movement of people with disabilities, their families and their friends to take their places as equal citizens in this great land of ours, and, beyond now, world-wide – a movement that will not --- as I hope and expect each of you, as professionals and as citizens, educated here, steeped in the knowledge and purpose to advance Equal Citizenship for all people, everywhere, will not --- take no for an answer.

Our job has been to teach judges, and sometimes legislators and bureaucrats. But we have been taught, as have you, by Burton Blatt and Gunnar Dybwad – Burt was 4<sup>th</sup> among the expert witnesses in PARC, the clean-up batter, and Gunnar was to have been the 9<sup>th</sup> and last witness, but, after Burt, the Commonwealth of Pennsylvania surrendered and consented to the three-judge court orders which opened the schools of Pennsylvania, and then of 30 other states where litigation followed, and ultimately by the Act of Congress throughout the land, --- by

Thomsa Szasz, Wolf Wolfensberger, Doug Biklen, Dean and Academy Award nominee, Bob Bogdan, Steve Taylor, Carole Berrigan and by now so many irreplaceable others in the community in this community of scholars and actors formed by this School of Education and its Center for Human Policy, Law and Disability Studies. You can know the nation-wide, and now international stature of this place by the fundamental social inventions conceived and adumbrated here and propelled from this place into national and global consciousness and significantly into a changed nation reality: friend-advocates; People First organizations; the Community Imperative; integrations and inclusion in the schools and outside them; augmentative and alternative facilitated communication; universal academic literacy. And throughout all a pervading understanding and insistent commitment to achieving, actually achieving, equal citizenship for each and every person and the oneness of humankind across all its diversities. Equal Citizenship is the imperative in which this place and your education has been rooted and it is the subject of my brief remarks here.

My favorite, single formulation in law is “the principle of equal citizenship presumptively insists that the organized society treat each individual as a person who is worthy of respect, one who belongs. Stated negatively, the principle presumptively forbids the organized society to treat an individual either as a member of an inferior or dependent caste or as a non-participant.” K. Karst, “Equal Citizenship Under the Fourteenth Amendment” 91 Harv. L. Rev. 1, 6 (1977).

It was Jefferson, of course, who first committed the nation to the proposition of equality. The richness of the proposition, as Jefferson understood it, is suggested by the other things he wrote that summer in Philadelphia, his draft Bill of Rights for the Virginia Constitution which provided: “fifty acres of former Crown lands to all who had none, enough to comprise 20 acres to those who had some but not 50; that daughters should inherit on the same basis as sons, and

that “no person thereafter entering Virginia should be held in slavery.” You should know also that Jefferson’s sister was retarded, as historian Fawn Brodie in *Jefferson: An Intimate Biography* (19xx) demonstrated from his Day Book entries.

Know also that Thaddeus Stevens, the great Pennsylvanian majority leader of the U.S. House of Representatives, Chair of the Joint Committee on the Conduct of the Civil War, and who was the primary author of the 14<sup>th</sup> Amendment, was a person with a disability; he had a club-foot, a “gimp”. The 14<sup>th</sup> Amendment, he hoped, “would end all forms of oppression against any and all persons in the United States.”

Modern American experience starts with *Brown v. Board of Education* which awakened our centuries to equal citizenship. “The opportunity of an education”, *Brown* said, “where a state has undertaken to provide it to any, is a right which must be made available to all on equal terms.” Not a geometric sameness but a functional equality, assuring across the diversities in children a responsive and functional educational equality for each and every child, including especially integration for each and all children. John W. Davis, his generation’s most acclaimed appellate advocate, who represented South Carolina in *Brown*, opened his argument to the Supreme Court: “May it please the Court, should the Negro children prevail here I am unable to see how any state could any longer segregate on the basis of age, on the basis of sex, or on the basis of mental deficiency.” Davis lost the case, but won his prediction. Davis thought to frame that argument because he had come to majority and to his long public life, when, as Justice Thurgood Marshall wrote in *City of Cleburne, Texas v. Cleburne Living Center* (1985), “the mentally retarded ha[d] been subject to a ‘lengthy and tragic history’ of segregation and discrimination that can only be called grotesque.... A regime of state-mandated segregation soon emerged that in its virulence and bigotry rivaled, and indeed paralleled, the worst excess of Jim Crow. Massive custodial institutions were built to warehouse the retarded for life; the aim was

to halt reproduction of the retarded and 'nearly extinguish their race.' Retarded children were categorically excluded from public schools, based on the false stereotype that all were ineducable and on the purported need to protect non-retarded children from them. State laws deemed the retarded 'unfit for citizenship'.." Prejudice", Marshall wrote, "once let loose, is not easily cabined."

You take your place, your new place in your world, at a time of enormous possibility and need for action based in the moral imperative in which your education has been rooted, in the understanding of equal worth and dignity of each and every person and the oneness of the human family. Our country and our world today cry out for lively, informed, and insistent thought and action which can be hoped for and expected from you, you the graduates of this special – I could say, unique, School.

The 20<sup>th</sup> Century is properly remembered as the century of enormous, tragic violence. It was also the century which saw the triumph of thoughtful, morally based, non-violent action and its success. We saw it, the success of such action, in the velvet revolutions of Eastern Europe; in the end of apartheid with the Mandelas in South Africa; in the end of British imperialism in Ghandi's India, and here in our country, in the American Civil Rights Movement, the movement of Black people addressing and setting aside the grotesque history of discrimination based in race, and the further movements which it propelled, of women, of people with disabilities, of national minorities, of immigrants, a war against poverty, and the struggle to save our environment. Now, urgently, our country cries out for redress of the distribution of income and wealth which is, this year, as it has been in nearly every year since 1989, the most unequal as it has been in all of our history since 1776. Today, in the United States, only some eight percent of children from poor families graduate from college; seventy-seven percent of those from the most affluent families do. Our globe has grown now very small and the inequalities of income and schooling and

health that beset most members of the human family have become easier for us to see and the cost of wars, suffering, and pestilence harder to ignore. Thus, for teachers of every stripe, -- rising thoughtful people -- you, the members of this 100<sup>th</sup> graduating class -- there are crucial fields for courage, for thought, and for action, wide open to you as professionals and as citizens.

I was lucky enough to be born into the smallest generation of the 20<sup>th</sup> century- those of us born in the depression through the second World War, 1930 to 1945. My generation was lucky enough to come of age when the United States opened their hearts and minds to enormous change. And there were strong undertakings by citizens across this land to understand and to realize, in fact, the promises of the American Revolution. We experienced the choicest of experiences, success.

You, I believe, have the same opportunity now, immediately before you. There is, I believe, a new great awakening among the American people. Resolving and rising up at the polls on election day, last November, 2006, despite little help from the media and not much from established leadership, to oppose a tragic war and to put right the distortion of the investment of the people's hard-earned income that has occurred in consequence. Globally, people across the world through their governments have brought the United Nations to adopt the convention to eliminate all forms of discrimination against women, the treaty on the rights of children, and a few weeks ago, to submit to the nations of the world for ratification, the Convention on the Dignity and Rights of People with Disabilities, with signatures, on March 30, of 80 countries. In the decade just gone by, citizens internationally, with extraordinary work, themselves, linked by the internet, succeeded, in formulating and securing the treaty to eliminate landmines. None of these yet ratified by the United States. It is my hope that, given the commitments in which your education is rooted, your decades and your generation will have not only the opportunity to carry on and deepen this work, but that you will, in fact, do so.

Abraham Lincoln, in Springfield in 1857, said “the assertion that all men are created equal was of no practical use in affecting our separation from Great Britain, it was placed in the declaration not for that but for its future use. The framers of the Declaration meant to set up a standard for free society which would be familiar to all, revered by all, constantly looked to and constantly labored for, and even though never perfectly obtained, constantly approximated, thereby constantly spreading and deepening its influence and augmenting the happiness and value of life to all people of all colors everywhere. The framers meant to declare the right so that enforcement of it might follow as fast as circumstances should allow.”

In the later decades of the 20<sup>th</sup> Century, circumstances did allow people with disabilities, their families, and their friends, --as they did so many others among our diversities --to assert their essential personhood with their claim to Equal Citizenship, their intention to be participating and contributing members of our society. To be sure, these movements were encouraged by responsible federal courts which believed that a Constitution is to be enforced and by a Congress who saw advancing constitutional values to be their purpose.

Across this nation and around the globe, your generation has the opportunity to bring to life the moral imperatives, and the knowledge, of how, actually, to implement them, in which you are now each so steeped. I congratulate you on your achievements thus far and wish you Godspeed in the even greater responsibilities as professionals and as citizens to which your education here has uniquely committed you and for which it has uniquely fitted you. Today and tomorrow are exciting and historic days. I wish you, in the struggle to establish --in fact- the dignity of every and each person and the oneness of the human family, many more exciting and historic days. Have no fear, be of good courage, act thoroughly and well, and know the pleasure of doing good. Capability and a knowing sense of the possible -- once let loose, are not easily cabined. Thank you.