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Evaluations

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Did The Americans With Disabilities Act Work?

I don't know whether it's the lingering influence of a long era of conservative dominance (which forced liberals to grapple seriously with their critics on the right) or a consequence of the internet age (which places endless studies and PDFs and policy documents at the fingertips of every columnist and blogger), but I feel like there's been a definite drop-off in what you might call "sentimental liberal" arguments for policy measures, in which the good intentions of a given piece of legislation are treated as the only argument necessary to justify its passage. Even when liberals are making the contemporary equivalent of Robert Fulghum's sententious claim that "it will be a great day when our schools have all the money they need, and our air force has to have a bake-sale to buy a bombers," they usually have a Congressional Budget Office report to back it up.

So I was a little startled to read [this post from Jonathan Cohn](#), among the wonkiest of liberal wonks, in which he simultaneously celebrates the Americans With Disabilities Act and bemoans the possibility that if the act came up for a vote today, the contemporary Republican Party would be much more hostile to the measure than was the G.O.P. of George H.W. Bush. The A.D.A.'s anniversary, he writes, "is a poignant reminder not only that government can work but also that, once upon a time, Republicans were willing to embrace it."

O.K., but did the A.D.A. actually work as well as its advocates predicted? Maybe so, but you wouldn't know it from Cohn's post. He supplies absolutely no evidence to back up the claim that the act was an obvious success story, while linking (in a throwaway, "the critics were not totally wrong" aside) to [Walter Olson's post on the subject](#) for the Cato Institute, which marshals plenty of actual facts and figures suggesting that it hasn't. Among other seemingly telling points, Olson notes that labor force participation for the disabled actually *declined* after the A.D.A.'s passage — whereas Cohn's entire case for the act (and for the shocking extremism of any Republican who wouldn't vote for it) consists of a story about "a disabled college student in the early 1990s, who observed that people were less hostile when he took city buses because wheelchair riders had become so common." That's a nice anecdote, but it isn't exactly an argument.

It's true, as Cohn says, that the "vast majority" of Americans celebrate the act, and for understandable reasons — it's a feel-good piece of legislation, whose benefits are obvious and whose drawbacks tend to be more hidden. And perhaps Olson and other critics are

wrong, and those benefits easily and obviously outweigh the costs the Act seems to have imposed on the disabled as well as the non-disabled. But Cohn's peculiar exercise in sentimentalism doesn't even begin to prove that point. It's written as if the fact that the A.D.A. a feel-good piece of legislation is reason enough to support it, and no further argument is necessary.