

REVIEWS MORE

THE TRUE MEANING OF PICTURES. By J. BAICHWAL (Director). 52 minutes, 2004. **REVIEW AVAILABLE ONLINE @ www.srvip.org**

Reviewed by Emma Barken

“THE TRUE MEANING OF PICTURES” is a documentary that examines the work of Shelby Lee Adams—a photographer from Kentucky (US) who photographs the mountain people of the Appalachian region. The documentary focuses on Adams’ interactions with three groups heavily featured in his work: the Napier family, who live in abject poverty and have lost many family members in violent ways; members of the Holiness religious sect who are snake handlers, and carry out this practice even though it is illegal; and the Childers family, who have three adult children with mental retardation. The film contains interviews with members of these groups, art critics, prominent citizens from Appalachia and Adams himself.

This film was viewed as part of a Social Role Valorization (SRV) study group meeting in Ontario in November 2012 and the following questions guided our discussion:

- Who were the societally devalued groups represented in the film?
- What socially devalued characteristics did they demonstrate, and/or were communicated by the film?
- How are these people portrayed in the photographs by Adams?
- What are some imagery enhancement points from SRV theory that are elaborated in the film?
- What SRV themes are touched on in this film?

Adams’ work is controversial because many of his critics believe that he is perpetuating commonly held stereotypes of “Holler Dwellers,” and is portraying his subjects in a negative light. Adams

vehemently denies these allegations, arguing that because he is from the same region of Kentucky, and has ties to the Holler (i.e., hollow) way of living, he is portraying his own people in a fair and honest light. He claims that there is nothing wrong with the way he portrays his subjects, because they have been allowing him to photograph them for three decades, and support his work.

Those who take issue with Adams’ work argue that he stages his photographs—using light and angles in a sophisticated way that make his subjects look menacing, dirty and unkempt. They claim that his photographs thus support 100 years of negative stereotypes of Mountain people, as seen, for example, in American television, films and cartoons.

In the film, Adams argues that he is not trying to portray his photographic subjects in any way but the way that they really are. He states that he is photographing his friends and their lives, and that if the audience or his critics take issue with his work, it is because their way of living is so very different from his subjects, and they would rather not think about the suffering of the mountain people.

This film is relevant to SRV in part because it focuses on a societally devalued class of people (mountain people) and the ways in which they are presented to the larger public—namely through photographs. The film lays out many of the devalued characteristics which surround the mountain people, and shows how multiple channels—such as personal presentation, surroundings, activities and juxtapositions—can all work together to create negative social image messages (Wolfensberger, 1998, 64). The documentary does a good job of laying out the numerous factors that go into any one photographic image to create either a negative or a positive message about the people.

Many SRV themes come up in the film, including the Conservatism Corollary (e.g., through Ad-

ams' apparent lack of appreciation for the heightened vulnerability of his subjects); Interpersonal Identification, the Power of Mind Sets and Expectancies, Unconsciousness, and Social Imagery.

SRV does not tell us whether the way that Adams portrays his subjects is right or wrong, yet by applying the "if this, then that" formulation (Wolfensberger, 1995), students of Social Role Valorization can determine what the likely impacts of Adams' portrayal will be on the minds of third parties. This is a useful way to look at Adams' work, in part because it differs from the debate that he and his critics are having about whether it is right or wrong that Adams photograph his subjects in the way that he does.

The film begs the question as to what it would take to portray its subjects honestly, but in a positive light, and with a particular set of valued social roles in mind. This is a common tension raised at SRV workshops—not wanting to be deceitful about a societally devalued party, but also wanting to project a positive image of that party. SRV would challenge servers to strive for this balance, and offers many tools to help work through this question.

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EMMA BARKEN is a Social Role Valorization (SRV) presenter & long-term member of the Ontario SRV Study Group.

THE CITATION FOR THIS REVIEW IS

Barken, E. (2013). Review of the film *The true meaning of pictures* by J. Baichwal. *The SRV Journal*, 8(1), 67-68.

Invitation to Write Book, Film & Article Reviews

From the Editor

I ENCOURAGE OUR READERS to submit reviews to *The SRV Journal* of current films, books and articles. For people who are studying SRV, looking for everyday examples can help deepen one's understanding. For people who are teaching SRV, learning from and using contemporary examples from the media in one's teaching can be very instructive for audiences. For people who are implementing SRV, contemporary examples can provide fruitful ideas to learn from. Some books and articles mention SRV specifically; others do not but are still relevant to SRV. Both are good subjects for reviewing. We have written guidelines for writing book and film reviews. If you would like to get a copy of either set of guidelines, please let me know at:

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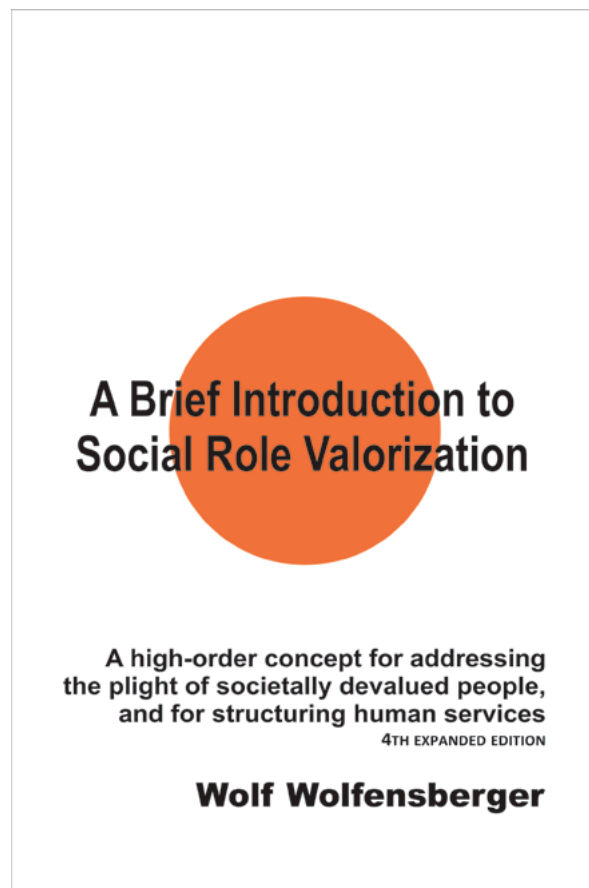
Announcing the publication of

A Brief Introduction to Social Role Valorization:

A high-order concept for addressing the plight of societally devalued people, and for structuring human services (*4th expanded edition*)

by Wolf Wolfensberger, PhD

“A long-held rationale of those of us who teach SRV Theory is that the material helps students to see the world from the perspectives of those who receive services and supports, rather than the service provider. Time and again, we hear students describe this as the single most important aspect of taking an SRV Theory course. They talk about how they now have new, or different, eyes with which to see and understand their world. Many describe the realization that *they* first had to change in order for them to address the issues and problems of the people they were assigned to teach or help. When they changed their perceptions of another person, they then changed their expectations of this person, along with their ideas of what the person actually needs and how to effectively address these needs” (from the foreword by Zana Marie Lutfiyya, PhD and Thomas Neville, PhD).



Author: Wolf Wolfensberger, PhD, 1934-2011
 Publisher: Valor Press (Plantagenet ON–Canada)

Language: English

ISBN: 978-0-9868040-7-6

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A BRIEF INTRODUCTION TO SOCIAL ROLE VALORIZATION: A HIGH-ORDER CONCEPT FOR ADDRESSING THE PLIGHT OF SOCIETALLY DEVALUED PEOPLE, AND FOR STRUCTURING HUMAN SERVICES (4TH EXPANDED ED.). BY W. WOLFENBERGER. Plantagenet, ON: Valor Press. 275 pages, 2013. **REVIEW AVAILABLE ONLINE @ www.srvip.org**

Reviewed by Karen D. Schwartz

THE NEW 4TH EDITION OF Wolf Wolfensberger's *A Brief Introduction to Social Role Valorization* (SRV) is being released in May 2013. The event is noteworthy, as this latest version has been significantly expanded over previous ones. Additions include a new foreword, the inclusion of two additional papers on SRV, a much more significant bibliography of Wolfensberger's work, and a comprehensive index.

Originally published in 1991, this monograph was last updated 15 years ago, in the form of a 3rd edition. Given the fact that the text is now used fairly extensively across the globe as either a textbook or reference book in academic and applied post-secondary programs, this expanded form is likely to add further appeal to the original treatise itself.

I approach this review from three different yet intertwined perspectives—as a former student, as an instructor, and as a researcher. I was first introduced to the ideas that comprise SRV as a graduate student in Disability Studies. This introduction allowed me to consider the ways in which SRV both complimented and contradicted theories in that field.

I have used parts of SRV in teaching both undergraduate and graduate courses in Disability Studies. Because these courses have been largely academic in nature, most of the discussion centred on the basics of SRV theory, rather than the implications for human service providers.

However, it is in my role as a researcher that I have found elements of SRV to be most invaluable, as they have often become the theoretical

frameworks within which I work. In particular, I, along with my colleagues, have used social and societal devaluation, negative social roles, role theory, forming social judgements and social imagery in a variety of contexts. These contexts include examining aspects of special education (Schwartz, 2013), institutionalization (Schwartz, 2010), end-of-life issues (Lutfiyya & Schwartz, 2010), and portrayals of people with disabilities in popular films (Lutfiyya, Schwartz & Hansen, 2008; Schwartz, Lutfiyya & Hansen, 2013; Schwartz, Lutfiyya & Hansen, 2005). In all of these examples, the ideas behind SRV have been shared with diverse audiences, including academics across disciplines, students and professionals (such as educators and those in medical fields). Perhaps most importantly, some of these articles have appeared in books meant to appeal to members of the general public, who might not otherwise be exposed to such analyses and arguments.

My overall intent in using SRV in these various roles is to make people aware of their often unconsciously held beliefs about people with disabilities and the way these individuals are perceived, and subsequently treated in our society.

In re-reading and considering the additions to this volume, I am especially pleased with the inclusion of the “good things of life” piece. It serves to re-focus on and reinforce the importance of consciousness-raising. Many of the “17 things” that Wolfensberger describes are obvious components to enjoying the “good life.” I am thinking in particular about having a home, belonging to a community, having friends, working, feeling safe, being exposed to and taking advantage of various opportunities, being dealt with honestly, having a say in one's own life, contributing and being recognized for those contributions, having good health and, most importantly for me, being recognized as human. However, perhaps because they are so obvious and uncontroversial, we tend to assume that most if not all people have and/or experience these good things.

I do not have to think very long or hard for examples of people who do not enjoy these very

basic things. As academics, students, professionals, advocates, friends, family members, human service workers and allies, we need to be reminded of the fact that people who are devalued may be robbed of or denied these things either intentionally or unintentionally. We need to be mindful and to pay close attention to these issues.

I find the inclusion of the second article, “If this, then that,” to be somewhat more problematic. This may be because the tone of the piece, particularly the first couple of pages, can be perceived as somewhat harsh and may turn some readers off. This may take away from the points Wolfensberger is trying to make. Perhaps it might have been useful to have more detailed editorial comments on the reason for including both additional pieces, and how each adds to the foundational elements of the monograph itself.

I am pleased by the fact that this volume is used so frequently as both a reference book and textbook in various educational contexts. In light of this development, the inclusion of a comprehensive index is invaluable. I cannot count the number of times I had to flip through the entire text to find the particular section or point I was looking for.

To better assist educators, future consideration might be given to including some questions or topics for further discussion at various points throughout the book. For example, some of the language used in this volume is out-dated for readers in the 21st century. Although I am not suggesting that the original wording be changed, it might be worthwhile to encourage discussion about the ways in which the language used to describe disability and people with disabilities has changed over time, why this change has occurred and the implications of using certain words over other words. Using another example, there are times when Wolfensberger’s approach might be characterized by Disability Studies scholars and Disability Studies literature as falling within a more individualized or pathologized approach to

disability. This presents an excellent opportunity to engage students and practitioners in a discussion about the various approaches to disability, and the implications in policy and practice of using one approach over others.

As we become more aware of and sensitive to the ways in which various group are marginalized and devalued in our society, the need to address devaluation in meaningful ways grows. It is vital that we have the knowledge and tools to adequately respond. *A Brief Introduction to Social Role Valorization* assists us in providing such a response. However, there is always the worry that no matter how seminal the work, it must be kept current. The 4th edition competently addresses that concern, and in doing so, ensures that new generations of scholars, students and practitioners will consciously turn their attention to issues that can all too often become taken for granted or ignored.

On a personal note, I will have a hard time giving up my 3rd edition, which contains a wonderful inscription from the author himself.

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THE CITATION FOR THIS REVIEW IS

Schwartz, K. (2013). Review of the book *A brief introduction to Social Role Valorization* by W. Wolfensberger. *The SRV Journal*, 8(1), 70-72.

A BRIEF INTRODUCTION TO SOCIAL ROLE VALORIZATION: A HIGH-ORDER CONCEPT FOR ADDRESSING THE PLIGHT OF SOCIETALLY DEVALUED PEOPLE, AND FOR STRUCTURING HUMAN SERVICES (4TH EXPANDED ED.). BY W. WOLFENSBERGER. Plantagenet, ON: Valor Press. 275 pages, 2013. **REVIEW AVAILABLE ONLINE @ www.srvip.org**

**Reviewed by Renée Ehrenreich &
Elizabeth McLennan**

WE ARE BOTH 2013 GRADUATES of the Developmental Services Worker program at Loyalist College. We are pleased and honoured to offer our opinion(s) about the expanded Social Role Valorization (SRV) monograph, particularly from a student perspective.

These are the items we feel are most improved/most helpful:

- The text is laid out in a reader-friendly fashion and the use of a more aesthetically-pleasing font makes the work easier to navigate. This makes the [sometimes challenging] concepts of SRV easier to understand and apply to real-life scenarios. Ideally, it will make the implementation of those concepts easier, as well.

- Chapters seem more cohesive and not so densely-packed, which also make the concepts more accessible.

- The expanded definition of “devaluation” and “those who are devalued” is a welcome and important change. It is easier to understand and sets the tone for learning further concepts.

- There are several additional examples which are clear and relevant and make the concepts of SRV both easier to grasp and to apply. Such descriptive examples make the concepts less “intellectual concept” and more applicable to the everyday challenges human service workers and families face. For example, on pages 21 and 22 (The Universal

Dynamics of Social and Societal Devaluation), the text defines devaluation in clear and concise terms. Furthermore, on page 26, the text explains that what we devalue as a society—poverty, growing old, illness—is a) based on what we value, societally-speaking, and b) becomes associated with entire groups within society—the poor, the elderly, the sick—and we, in turn, devalue them.

- The addition of an index is very useful and will, in our opinion, be heavily-used.

- The “About the Author” page offers a face to put with the voice behind the concepts of Social Role Valorization and allows readers to view some of Wolf Wolfensberger’s other professional accomplishments/publications.

As an aside, we believe that we have benefitted enormously from having been instructed at Loyalist College’s Developmental Services Worker program, where Social Role Valorization is entirely embedded within the program itself. Because of our professors’ commitment to Social Role Valorization, the monograph became more of a reinforcement of facts and concepts which we were already exploring, instead of an introduction to them. Without previous exposure to Social Role Valorization, the monograph becomes harder to understand and our concern would be that crucial concepts get lost in the language of SRV.

For example, a portion of the text about role theory reads like this: “As a result of receiving these expectancy signals (cues) or even demands from the social and/or physical environment, the person is apt to behave pretty much as expected. And, indeed, the first behaviours that the subject of role expectancies emits will commonly be interpreted by observers as consistent with the role even if those behaviours are ambiguous. At any rate, the observed person’s behaviour is apt to reinforce the observer’s original role perception, resulting in strengthened stereotyping on an observer’s part.” Why not simplify things further,

with something like, “What you expect to see, is what you DO see, based on someone’s actions, looks or behaviour.”

That being said, we are prepared and eager to apply the concepts of SRV to the lives of those we support now and in the future and feel that this new edition will help us—and others—do so.

RENÉE EHRENREICH & ELIZABETH MCLENNAN are graduates of Loyalist College (Canada). Elizabeth blogs at <http://lifewith-bellymonster.blogspot.ca/>.

THE CITATION FOR THIS REVIEW IS

Ehrenreich, R. & McLennan, E. (2013). Review of the book *A brief introduction to Social Role Valorization* by W. Wolfensberger. *The SRV Journal*, 8(1), 73–74.

RORY O'SHEA WAS HERE. By D. O'DONNELL (Director). 104 minutes, 2004. **REVIEW AVAILABLE ONLINE @ www.srvip.org**

Reviewed by Linda Higgs

"RORY O'SHEA WAS HERE" was originally released under the title "Inside I'm Dancing."

This is a comedy-drama film based on a story written by Christian O'Reilly, after he spent time with two men involved with the independent living movement in Dublin, Ireland. The title character, Rory O'Shea, is a young man with Duchenne Muscular Dystrophy, and is played by James McAvoy. The other prominent character, Michael Connolly, has Cerebral Palsy and is played by Steven Robertson. Both men use power wheelchairs. Neither actor actually has a disability, which was controversial in the independent living movement when the film was released.

The story begins when Rory arrives at an institution named Carrigmore Residential Home. Rory makes a point right away of asking for a key to the front door, and when informed that he couldn't have one, replied "Then, it isn't home, is it?" It quickly becomes obvious that Rory is a troublemaker. He wears his hair spiked, doesn't like following the rules, and doesn't like his new home. It becomes apparent during the movie that he previously lived at home but was placed in a facility when his disease progressed. His father visits him occasionally.

Michael, on the other hand, has lived in institutions his entire life. His mother is deceased and his father, who is a lawyer, has abandoned him. Unlike Rory, Michael is very compliant and well-liked by the staff of the institution, although no one there can understand his speech. He has a cumbersome communication system, consisting of staff pointing at letters of the alphabet to spell out words, and there is no indication that anyone ever takes the time to have a conversation in this manner with him.

When Rory arrives, he can understand Michael's speech patterns because he has spent time with other people with CP. Michael infuriates Rory by calling his ability to understand him "a gift," but they soon become allies in a quest for independence.

In one scene, many people with disabilities who live at Carrigmore are seen, along with staff, on a busy street corner wearing vests and holding buckets labeled "National Collection Day," in an apparent attempt to raise money for services for people with disabilities. Rory convinces Michael to take their buckets of money and go to a pub to look for women. He believes they can buy girls to drink with them, and in a sense they do. They approach two young women and offer to buy all the drinks if they will assist them to drink. In his typical fashion, he explains using the money as "It's funding for the needs of the disabled. I'm disabled, and I need a drink."

After leaving the bar, they head to a nightclub where the doormen refuse them entrance. Michael takes on the role of lawyer and, with Rory as his interpreter, cites fake code violations related to discrimination. The doormen relent and, after entering, Rory joins in the dancing. The original title of the film comes from a scene in which Rory explains to Michael (who has never seen anyone in a wheelchair dance) "inside, I'm dancing." Michael is the first to notice a lovely blonde woman dancing. Siobhan, played by Romola Garai, eventually becomes their personal attendant.

Rory applies to an independent living review board regularly for the opportunity to live in the community, but is repeatedly denied because he is deemed to be immature and irresponsible. He and Michael develop a scheme in which Michael applies and is approved. Once he is approved, they inform the board that Michael will be moving with him as his interpreter, so they are both able to leave Carrigmore.

Apartments are too expensive for them to afford, so they pay a visit to Michael's father and blackmail him to pay for a place to live. Michael

was tongue-tied when he saw his father and never spoke a word, leaving his father to continue believing him to be incompetent and incapable.

His father paid for a two-bedroom apartment with accommodations for physical access, including lights that could be voice activated, although they couldn't be activated by Michael due to his unclear speech. The two men interviewed a variety of people to be their personal attendant without success. They happened to see Siobhan on the street again and eventually convinced her to work for them.

Rory continues trying to get people to treat him the same as everyone else, going so far as to take a carful of children joy riding and accusing the cop of discrimination for refusing to arrest him.

Michael falls in love with Siobhan, although Rory warns him repeatedly that he has nothing to offer a girl like her, and that "parakeets don't mate with armadillos."

Siobhan treats the two men with respect but struggles with the realization that Michael is falling in love with her. She eventually leaves her job as their personal attendant, but not before informing Rory that having a disability doesn't give him the right to be rude and inconsiderate, and telling Michael that she was being paid to care for him but didn't love him.

This movie provided several good examples of the dynamics of societal devaluation. Wolfensberger's theory of Social Role Valorization teaches that, as a result of being devalued, people get systematically rejected, sometimes even by their own families, as was demonstrated by Michael's father.

Wolfensberger also taught us that devalued people might be cast into sub-human or non-human roles, including the role of object, which was quite clearly portrayed in several scenes at the Carrigmore Residential Home, e.g., residents were being cleaned around as if they were inanimate objects, and staff didn't speak to residents when they bathed them or provided other services. In one scene, a therapist is sitting on top of Michael, taking his measurements and calling them out to

another staff member who is recording them. No one in the room speaks to Michael.

All of the residents were cast into the object of pity and burden of charity roles when they were sent out on the streets wearing vests and holding buckets to collect funds for services. The residents of the home were all subjected to de-individualization, which is characteristic of settings that have atypically large groupings. Everyone ate together; the residents, all adults, were gathered around one television in the main living space; and everyone went to art class in the facility.

Some examples of societal attitudes towards people who are devalued (as child-like and as holy innocents) that stood out to me occurred during the scenes of Michael and Rory interviewing people to be their personal attendants. One man proceeded to tell them what his rules would be. Another woman indicated she would be working as an extension of Jesus. One man asked if they dressed up as animals, and was relieved when they said they did not.

Wolfensberger taught that the bad things that characteristically happen to devalued people could become life-defining. This was illustrated by Rory, who was angrily rebelling against a society that did not treat him as a valued member. Michael, probably due to the impoverishment of experience which resulted from living an institutionalized life, appeared to be content with his situation until Rory appeared and helped him begin to broaden his horizons.

Even after the two men move into the community, the movie does not show particular examples of them having valued roles. They attend a party, but only because Siobhan was invited and they went along. Michael is shy and spends time mostly inside with Siobhan. Rory entertains the children outside their apartment. Lemay (1999) speaks of "role avidity," or "role hunger," in which people are desperate to see themselves in socially recognized roles, even when they are not necessarily positive. This was illustrated by Rory when, stopped by the police, he wanted to be taken to

jail the same as he perceived an able-bodied person would have been.

The very idea that two adult men would have to appear before a board to seek permission to live in the community, in which most adults naturally live, speaks loudly to the effects of societal devaluation on those who are in some way bodily impaired. Neither Rory nor Michael had an intellectual disability, although Michael may have been presumed to have by some people due to the effect his cerebral palsy had on his speech, and yet they were unable to live in the community without permission from a system that would decide if they were ready.

The movie gives the viewer a sense of some of the reasons behind the independent living movement. It also illustrates the heightened vulnerability of severely disabled people, which Rory quickly realized himself the night Siobhan walked out, since neither he nor Michael could get themselves to bed.

The version I watched included two deleted scenes and an alternate ending. One of the de-

leted scenes showed Rory in a jail cell. The end of the movie was a bit of a let-down because it didn't give you any clues as to Michael's future. In my opinion, the alternate ending was much better, although it included its own contradictions. It included scenes of Michael attaining the valued role of university student, which allowed the viewer to imagine more good things in life for him.

I would recommend this movie to others, and particularly to anyone interested in observing the effects of societal devaluation. Much like relying on all team members for their observations during a PASSING workshop, one could watch this movie more than once in order to observe more than might be noticed in a single viewing.

LINDA HIGGS is a Program Specialist for the West Virginia Developmental Disabilities Council (US) & has long experience with SRV, PASS & PASSING.

THE CITATION FOR THIS REVIEW IS

Higgs, L. (2013). Review of the movie *Rory O'Shea was here* by D. O'Donnell (Director). *The SRV Journal*, 8(1), 75-77.

Announcing
**Advanced Issues in
Social Role Valorization Theory**



Author: Wolf Wolfensberger, PhD, 1934-2011

Hardcover: 432 pages

Publisher: Valor Press (Plantagenet ON, Canada)

Language: English

ISBN: 978-0-9868040-5-2

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Product Dimensions: 22 x 15 x 3 cm

Shipping Weight: 0.75 Kg

Price: 80\$ cdn + shipping & handling



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About Social Role Valorization (SRV)

Social Role Valorization (SRV), a human service theory based on the principle of normalization, proposes that positively valued social roles are needed for people to attain what Wolfensberger has described as the good things of life (well-being). This is of particular importance for individuals with impairments or otherwise at risk of being socially devalued by others, and therefore of great importance for human services to them.

About the book

The first two chapters explain SRV, and give depth and background to SRV as an empirical theory that is applicable to human services of all kinds, to all sorts of people. The remaining chapters are all revised and expanded versions of presentations that Dr. Wolfensberger had given at previous international SRV conferences. The topics treated in the chapters move from the general (chapters 2, 3 and 4) to the more specific (chapters 5, 6 and 7).

The contents of the book are especially useful for people who do, or want to, teach SRV; for SRV researchers; and for those interested in implementing SRV in a systematic way, especially in service fields where SRV is new, not yet known, and not widely—if at all—embraced.

About Wolf Wolfensberger, Ph.D. (1934-2011)

World renowned human service reformer, Professor Wolfensberger (Syracuse University) was involved in the development and dissemination of the principle of normalization and the originator of the program evaluation tools PASS and PASSING, and of a number of service approaches that include SRV and Citizen Advocacy.

Book Chapters

- Foreword
- Preface
- Chapter 1: A brief overview of Social Role Valorization
- Chapter 2: The role of theory in science, and criteria for a definition of Social Role Valorization as an empirically-based theory
- Chapter 3: The hierarchy of propositions of Social Role Valorization, and their empiricity
- Chapter 4: The relationships of Social Role Valorization theory to worldviews and values
- Chapter 5: Values issues and other non-empirical issues that are brought into sharp focus by, or at, occasions where Social Role Valorization is taught or implemented
- Chapter 6: Issues of change agency in the teaching, dissemination and implementation of Social Role Valorization
- Chapter 7: The application of Social Role Valorization principles to criminal and other detentive settings
- Conclusion to the book

THE LIMITATIONS OF THE LAW IN HUMAN SERVICES. By W. WOLFENBERGER. Plantagenet, ON: Valor Press, 83 pages, 2012. **REVIEW AVAILABLE ONLINE @ www.srvip.org**

Reviewed by David Ferleger

DURING WORLD WAR II, a young boy, Wolf Wolfensberger, became a refugee sent by his family from his own country, Germany, to become a foster child in the precarious safety of France. In 1944, age 10, he left on foot to return 100 miles “as the crow flies” to try to find what was left of his family.¹ He was a survivor. He learned to be skeptical of the ostensible trustworthiness of social and governmental structures.

That skepticism marks this posthumous publication of this 2012 revised book, *The Limitations of the Law in Human Services*.² For Wolfensberger, we are in the midst of “the relatively rapid collapse of almost all the social institutions that hold our society—or indeed, any society,—together.”³ He saw in the world “signs of the death of a civilization.”⁴

Legalization in human services, encompassing both legislation and litigation, is for Wolfensberger, a form of what he calls “systems disablement” where “the law makes sure that no one else can accomplish anything.”⁵ This book takes the law to task on three fronts. First, the legal system’s intrinsic (though often unacknowledged) ideology is divorced from notions of morality and therefore results in injustice in many instances. Second, litigation and legislation are extremely limited in their ability to solve human service problems or advocacy goals. Third, lawyers themselves are trained and socialized to be technicians unable or unwilling to grapple with systemic issues.

Wolfensberger accurately targets the relationship of cultural values to developments in the law. Legal rights which have no support in the culture are bound to be subverted or ignored. Those which are “moderately ahead of cultural trends,” he posits, will be the most adaptive and likely to succeed. One sees this dynamic, of

course, in the civil rights, women’s rights and gay rights movements.

Progress in human services, I suggest, moves more slowly than that in the political arena. People with disabilities who are “clients” or “recipients” of service systems typically have little political power or other leverage. They are not historically cultural activists.⁶ Change in the culture in human services necessitates change in systems which employ many thousands of individuals and which are classically run by governments in conjunction with private and non-profit enterprises. Wolfensberger eloquently describes the consequences of laws which are out of touch with cultural values:

The fact that those laws that are out of touch with cultural values will work poorly, at best, has certain implications to human services. One is that hardly any human service-related legal measure will or can succeed if its rationale is not deeply accepted by those who must carry out the policies based on it. For instance, a human service will never be made normalizing, or role-valorizing, or even only safe, if those who provide the service are merely attempting to follow the law, rather than having their own deep understanding of and commitment to the underlying values and rationales. In the absence of such understanding and commitment, obedience to law is just a superficial and empty motion which grinds wheels aimlessly and futilely, and which may merely result in the replacement of one non-functional technology or entire system with another. We have observed this phenomenon strikingly in the effort of many states and provinces to deinstitutionalize, when the basic values which have led to the creation of institutions still persist. In such instances, deinstitutionalization only turns into equally bad, or even worse, dumping and destruction of people in the community.⁷

Legal change alone is insufficient; “many people may need to be educated, implementive technologies may have to be developed, ways of handling a problem in a cost-efficient fashion may have to be designed and implemented, etc.” The law “at best” can “facilitate those things which then may solve or at least ameliorate a problem.”⁸

Wolfensberger falters in his apparent lack of knowledge (or lack of interest) in the evolution over the past 50 years of a body of law which is both protective of the safety of people with disabilities in the human services system, and which advances the rights of individuals to move from institutions to small family-scale homes in the community. Starting with challenges to unfair commitment procedures in the 1960s and ‘70s, and moving to oppressive institutional conditions, the courts began in the 1980s and since to consider the issue of “most integrated” settings.⁹ Unfortunately, Wolfensberger’s attention is on 1976 news—the New York Willowbrook case and the Wyatt v. Stickney Alabama lawsuit—and virtually not at all on developments before or since then. He does not address the relationship between litigation and federal/state funding of community services,¹⁰ or the course-changing U.S. Supreme Court decision in *Olmstead v. L.C.* (1999) and the ensuing state plans and enforcing litigation.¹¹ The extent to which he was insulated from current thinking is exemplified by his advocacy for what he called “small-size” community homes of “8 to 12 places,”¹² rather than one, two or three, and the lack of mention of self-determination and similar concepts, as well as supported and customized employment.¹³

Wolfensberger’s focus, though unacknowledged in this work, is on people with intellectual disabilities being served by the human services system. He critiques the Americans with Disabilities Act, as benefiting mainly lawyers, and downplays its coverage of people with physical disabilities, HIV infections, and the like.¹⁴ The United Nations Convention on the Rights of Persons with Disabilities is also ignored.

No doubt Wolfensberger would have had a lot to say about the developments noted above which are not covered in this book, and perhaps he would have found that his argument still holds true. One regrets that we will not have his commentary.

Wolfensberger succeeds in summarizing conditions where recourse to the law may be beneficial. High on his list is use of legal counsel to communicate with an adverse party to persuade that party to accede to a demand. He advises that litigation should be undertaken as a last resort only in serious situations, where it has a high likelihood of success, and where non-legal methods have been exhausted. Certainly, most attorneys in the field would agree with these guidelines.

Few individuals have had Wolf Wolfensberger’s positive impact on human services systems, even where that impact has been disagreed with, diluted or re-directed. Probably most human services workers today, including those implementing value-driven person-centered services, do not know his name. His provocative work, *The Limitations of the Law in Human Services*, is a timely reminder that success in systemic change at all levels requires careful attention to the delicate interface of law and culture, and the relationships between those individuals who are served and those who serve them.

ENDNOTES

1. Eulogy spoken by Ray Lemay (2011), *The SRV Journal*, 6(1), 11-16.
2. Cited as “LL.”
3. LL at 11.
4. LL at 12.
5. LL at 15.
6. This situation is changing. There are important exceptions which must be acknowledged. For example, self-advocacy has become a force in the developmental disabilities arena. Groups such as ADAPT and Disability Rights Advo-

cates for Technology press for change regarding access for people with physical disabilities.

7. LL at 22.

8. LL at 34.

9. See my series of videos and articles, including “The Arc of Disability Rights Litigation,” at the website of the Minnesota Governor’s Council on Developmental Disabilities—in the section on “The Evolution of Disability Rights Litigation.” See also Samuel R. Bagenstos, (2012), *The Past and Future of Deinstitutionalization Litigation*, *Cardozo Law Review*, 1(34).

10. See, e.g., the annual editions of Braddock, D.L., Hemp, R., Rizzolo, M.C., Haffer, L., Tanis, E.S. & Wu, J. (2011). *The state of the states in developmental disabilities: 2011*. Washington, DC: American Association on Intellectual and Developmental Disabilities.

11. See, e.g., Terence Ng, Alice Wong & Charlene Harrington, *Home and community-based services: Introduction to Olmstead lawsuits and Olmstead plans* (UCSF National Center for Personal Assistance Services, updated May 2013).

12. LL at 71.

13. This revised book was completed just prior to Wolfensberger’s death on February 27, 2011.

14. Unmentioned are numerous other American statutes in this field: Americans with Disabilities Act, Air Carrier Access Act, Architectural Barriers Act, Fair Housing Amendments, Individuals with Disabilities Education Act, Telecommunications Act, Urban Mass Transportation Act of 1964, Help America Vote Act, Rehabilitation Act, Civil Rights of Institutionalized Persons Act.

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THE CITATION FOR THIS REVIEW IS

Ferleger, D. (2013). Review of the book *Limitations of the law in human services* by W. Wolfensberger. *The SRV Journal*, 8(1), 80–82.