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Introduction

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INTRODUCTION

Christopher Henderson*

On April 24–25, 2008, the University of Washington School of Law had the honor of hosting academics, professionals, students, and representatives of governments and intergovernmental organizations at *Framing Legal and Human Rights Strategies for Change: A Case Study of Disability Rights in Asia*, a symposium devoted to the human rights of disabled persons in the international realm. Subject matter ranged from specific dilemmas facing the disabled community, such as the rights and treatment of the institutionalized, to broader legal questions like the impact of United Nations conventions on domestic norms. Participants included some of the foremost thinkers in the area of disability rights, and *Washington Law Review* is proud to make some of their scholarship available to its readers.¹

UW Professor Paul Steven Miller, the Henry Jackson Professor of Law and Director of the Disability Studies Program, provided the impetus for the symposium and spearheaded nearly every aspect of its planning. Professor Miller, currently serving as a member of President-elect Barack Obama's transition team, is an internationally renowned expert in disability law with a long-standing commitment to public service. One of the longest-serving commissioners of the U.S. Equal Employment Opportunity Commission, he serves on the Board of Directors for Mental Disability Rights International, and on a variety of other boards that address the rights of the disabled. He publishes scholarly articles and speaks by invitation with amazing frequency and enthusiasm. Much of his current research explores the ethical and legal implications of genetic testing.² The high esteem in which Professor Miller is held by his peers is reflected in the caliber of scholarship generated by the symposium he organized.

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1. A list of speakers and panelists is included in the symposium program. See Program, *Framing Legal and Human Rights Strategies for Change: A Case Study of Disability Rights in Asia* (Apr. 24, 2008), available at <http://www.law.washington.edu/wlr/notes/83washlrev435n1.pdf>.

2. See, e.g., Paul Steven Miller, *Thinking About Discrimination in the Genetic Age*, 35 J.L. MED. & ETHICS 47 (2007).

The Honorable Richard Thornburgh, former Attorney General of the United States and former Under-Secretary General of the United Nations, kicked off the event as the keynote speaker on the first day of the symposium.³ He recognized how far the field of disability rights has progressed over the course of a generation. Thornburgh did more than inspire the participants by celebrating important accomplishments; he also provided a roadmap for how global progress in disability rights must continue in the generation to come, particularly in Asia.

Professor Michael Ashley Stein participated in the panel discussion *How United Nations Conventions Impact Domestic Norms*. He and Janet E. Lord have authored an article that further explores this important topic, focusing on the practical, domestic effects of international human-rights law as it pertains to disability rights.⁴ In particular, their analysis indicates that human-rights advocates must take a broader approach than merely promoting legislative action if they hope to fulfill the potential of the United Nations Convention on the Rights of Persons with Disabilities (Convention).

In her comments during the panel discussion *Examining the Relationship and Tensions Between Disability Human Rights and Global Health*, Professor Ani Satz noted that the current legislative model for addressing disability may stifle progress by defining disability in an overly rigid way. In an article that explores this theme in the context of recent amendments to the Americans with Disabilities Act, Professor Satz argues that rigid identity classifications necessarily exclude people who need protections. Relying on the novel concepts of universal vulnerabilities for the disabled and universal vulnerability to disability, Professor Satz offers an alternative vision.⁵

Professor Michael Perlin, in the panel discussion *Citizenship and Integration into Society*, focused his comments on the sexual rights of the institutionalized—an area where social norms stifle change as much as the law does. Professor Perlin's article argues that these norms are a product of sanism, a set of myths and stereotypes that dehumanize the mentally disabled. It also includes a survey of the social norms that

3. See Dick Thornburgh, *Globalizing a Response to Disability Discrimination*, 83 WASH. L. REV. 439 (2008).

4. See Janet E. Lord & Michael Ashley Stein, *The Domestic Incorporation of Human Rights Law and the United Nations Convention on the Rights of Persons with Disabilities*, 83 WASH. L. REV. 449 (2008).

5. Ani B. Satz, *Disability, Vulnerability, and the Limits of Antidiscrimination*, 83 WASH. L. REV. 513 (2008).

affect the sexual rights of the disabled in Asia and beyond.⁶

Days after the symposium, the Convention⁷ went into effect. At the time of this publication, forty-one countries have ratified it, the conspicuous exception being the United States.⁸ The absence of U.S. ratification was a source of much informal discussion at the symposium—discussion likely to be reinvigorated as the new president takes office.

Washington Law Review is honored to publish this important scholarship, and to have played a role in facilitating dialogue among such prominent thinkers. As the world enters a new era of internationalism and renews its commitment to the rights of disabled persons, these conversations take on heightened importance. *Washington Law Review* is proud to play a part.

6. Michael L. Perlin, "Everybody is Making Love/Or Else Expecting Rain": *Considering the Sexual Autonomy Rights of Persons Institutionalized Because of Mental Disability in Forensic Hospitals and in Asia*, 83 WASH. L. REV. 481 (2008).

7. G.A. Res. 61/106, annex I, U.N. Doc. A/RES/61/106 (Jan. 24, 2007).

8. The Convention went into effect May 3, 2008, thirty days after it was ratified by the twentieth country. Currently, forty-one nations have ratified the Convention. *See* U.N. Enable, Ratifications, available at <http://www.un.org/disabilities/default.asp?id=257> (last visited Dec. 14, 2008), permanent copy available at <http://www.law.washington.edu/wlr/notes/83washlrev435n9.pdf>.