

Contents

Figures and Tables / ix

Preface / xi

Introduction: Toward a Critical Theory of Dis-Citizenship / 1

Richard Devlin and Dianne Pothier

Part 1: Setting the Context

- 1** Disability Policy Making: Evaluating the Evidence Base / 25

Mary Ann McColl, Alison James, William Boyce, and Sam Shortt

Part 2: Conceptual Frameworks

- 2** Does Theory Matter? Exploring the Nexus between Disability, Human Rights, and Public Policy / 47

Marcia H. Rioux and Fraser Valentine

- 3** Justice as Fairness in Accommodating Workers with Disabilities and Critical Theory: The Limitations of a Rawlsian Framework for Empowering People with Disabilities in Canada / 70

Ravi A. Malhotra

- 4** Multicultural Citizenship: The Case of the Disabled / 87

Theresa Man Ling Lee

- 5** Ghosts in the Machine: Civil Rights Laws and the Hybrid “Invisible Other” / 106

Carolyn Tyjewski

Part 3: Policy Analyses

- 6** Working at the Margins: Disabled People and the Growth of Precarious Employment / 129
Robert D. Wilton
- 7** A Life without Living: Challenging Medical and Economic Reductionism in Home Support Policy for People with Disabilities / 151
Kari Krogh and Jon Johnson
- 8** Autism as Public Policy / 177
Dana Lee Baker
- 9** Post-Secondary Education and Disabled Students: Mining a Level Playing Field or Playing in a Minefield? / 195
Teri Hibbs and Dianne Pothier

Part 4: Legal Interrogations

- 10** Now You See Her, Now You Don't: How Law Shapes Disabled Women's Experience of Exposure, Surveillance, and Assessment in the Clinical Encounter / 223
Catherine Frazee, Joan Gilmour, and Roxanne Mykitiuk
- 11** Damage Quantification in Tort and Pre-Existing Conditions: Arguments for a Reconceptualization / 248
Darcy L. MacPherson
- 12** Beyond Compassion and Sympathy to Respect and Equality: Gendered Disability and Equality Rights Law / 267
Fiona Sampson
- 13** Infertility and the Parameters of Discrimination Discourse / 285
Daphne Gilbert and Diana Majury

Appendix: Legal Developments in the Supreme Court of Canada Regarding Disability / 305
Dianne Pothier

Contributors / 318

Index / 321